

April 28, 1988  
motpoppro/ph2b  
CA03-4X.2

Introduced by: LOIS NORTH

Proposed No.: 88-353

MOTION NO. 7188

A MOTION related to Youth Services Detention Services;  
approving the Master Plan Population and Program  
Recommendations.

WHEREAS, the King County executive and King County council directed the  
department of youth services to prepare a Master Plan for Detention Services,  
and

WHEREAS, the Master Plan was to include recommendations on the number of  
characteristics of youth to be served and the operating program to be  
implemented, and

WHEREAS, the population and program will serve as the basis for development  
of the building program component of the Master Plan, and

WHEREAS, the department of youth services has prepared the recommendations;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

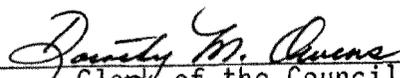
The recommendations on detention services population and program contained  
in the "Department of Youth Services - Detention Master Space Plan: Population  
& Program", April 28, 1988, are approved.

PASSED this 9th day of May, 1988

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
VICE Chair

ATTEST:

  
Clerk of the Council

### Introduction

The two main buildings which comprise the Department of Youth Services (DYS) Detention facility were constructed in 1952 and 1972. Age and intensive use resulted in the Department proposing numerous and costly repair/maintenance projects for the facility to be funded through the County's Capital Improvement Program. In 1985 there was concurrence by the Executive and Council that, rather than continue to repair the existing detention facilities with the only result being the same operating program in a somewhat improved environment, a full Master Plan be prepared. The Plan was to direct decisions on repair, remodeling and/or construction. The scope of the Master Plan, however, was broadly conceived, i.e., it was clearly decided that facility decisions should be driven by program, and operating program decisions should be driven by the number and characteristics of youth to be served.

### Department and Detention Services Mission Statements

The overall DYS mission reads as follows.

The mission of the King County Department of Youth Services is

- To support the King County Juvenile Court by providing intake, detention, and community supervision for juveniles; and
- To provide treatment services to juveniles in the context of detention and community supervision programs; and
- To administer other youth programs assigned by the Executive; and
- To advocate within the Government and Community for youth.

The Department will undertake this Mission with a focus on public safety, the positive integration of youth into their communities, and youth development.

Department programs will respect the dignity of youth and their families, foster youths' desires to be productive citizens, and will reflect community concern for its youth.

The Detention Services mission complements the above.

The Division is established to provide short term care to juveniles who have been accused of an offense and are awaiting court action or who have been sentenced to detention services as a result of an offender disposition. Specifically, the Division shall:

- Treat juveniles with dignity by providing for their physical, emotional, spiritual, educational and social need during detention,
- Provide for the juveniles' basic needs such as shelter, food, clothing and medical care,
- Provide housing for juveniles in a safe, healthy and humane environment,
- Prevent the abridgment of the juveniles' legal rights during their detention,
- Maintain through needs assessment and a comprehensive behavior management system the level of security necessary to protect the community, and
- Assure that the juveniles live free of fear of assault or intimidation.

The Master Space Plan development was controlled by these mission statements; the statements dictate how the Department is to treat youth referred to its care.

### Background

The planning effort began with the preparation of a report by Urban Policy Research. This contractor analyzed all three aspects of the Plan with the following recommendations and conclusions: a) to change detention intake criteria which, when projected through the year 2000, would reduce the population significantly; b) to close the high security segregation unit and to improve the quality of the operating program, and c) that the existing facility could not safely or efficiently house an effective operating program. This report is commonly referred to as Phase I. (Note: January 1988 DYS acted on the recommendation to close the high security unit.)

Master Plan work has continued as "Phase II" with review and analysis of the issues in greater detail. Participants in Phase II have included DYS as lead agency, Facilities Management, Budget Division and County Council representatives. This group has met as the project Oversight Committee. Operating program recommendations were provided by contractors T. Mullen, E. Dunlap and R. Washington. Building program recommendations will be provided by WMFL, Architects.

### Major Assumptions

Summarized below are the major assumptions that have emerged as the Oversight Committee reviewed population and operating program proposals from DYS and the contractors.

Public Safety: Insuring community safety is the basic reason for operating detention services. The issue left to decide is how best to operationalize this community value given what is known about effects of deprivation of liberty on youth.

- Assumption 1: Deprivation of liberty is a grave action and should only occur when no other less restrictive option exists.
- 1.1: The least restrictive alternative for maintaining custody be used.
  - 1.2: Youth should be detained only on legal grounds; receiving services is not a valid reason to detain a youth.

- Assumption 2: Short-term custody is appropriate as a means to demonstrate that the justice system values community safety.
- 2.1: Detention is appropriate to insure appearance for the judicial process.

Discussion: Washington State detention facilities are designated for custody for youth awaiting Court action on a criminal matter or for serving short-term sentences. Experience shows that most youth detained in King County are held for a relatively short time (average is 8 days, mode historically has been 3 days) and then are back in the community. For the developmental process of an adolescent growing into responsible adulthood, an institutional setting is the least beneficial. It is essential that every youth have significant time interacting in a normative social setting, not an institution, to learn and grow within the community context. Minimizing detention time and the level of security can be viewed, over the long run, as contributing

Youth Care: If custody is warranted, the youth's basic rights must still be protected. These include a safe and humane environment. The issue to be decided is to what extent opportunities for self improvement will be offered.

Assumption 3: The detention program and facility should reflect as normal an environment as possible while insuring youth and staff safety.

- 3.1: Appropriate behavior is best obtained through quality programs not through physical security; there must be a balance between custody and care.
- 3.2: Time in custody should be used to enhance the likelihood of successful reintegration into the youth's community.

Discussion: Statistical data from DYS Detention Services indicates most youth enter detention only once. After leaving detention these youth return to their communities. A normative environment is the supportive climate for positive growth for a youth.

Costs: Over the life of a detention facility operating costs can be substantially higher than amortized construction costs.

Assumption 4: King County citizens value their community safety and their youth. They are willing to support a detention services program in an appropriate facility.

- 4.1: With the many competing demands for public funds, detention services must be provided in a cost efficient manner.
- 4.2: It is reasonable to allocate tax dollars to one time construction costs in a manner that will reduce long-term operating expenses.
- 4.3: It is reasonable to allocate tax dollars to develop/start up an operating program which will reduce long-term operating expenses.

Discussion: The test of public support will come when funding for program and building improvements are requested. On point 4.3, it must be recognized that public safety is such a critical issue that any major changes in detention program may need to be demonstrated to be successful before a firm commitment is obtained from juvenile justice system actors. The result could be interim increased operating costs because both old and new program have to run for a period of time.

Long-term population projections and facility opportunities: The number and characteristics of youth in custody in King County is mainly dependent on public policy, not on the number of "youth at risk".

Assumption 5: Changes projected for the children and youth population of King County through the year 2030 are reported in Table 1. No significant sustained growth is projected. Given this fact and the low incarceration rate (averages less than .0006\*), "youth at risk" will have minimal effect on detention population.

\*Estimated using Total Building Count (TBC) and K-12 School Enrollment (this overestimates population at risk on one hand by including young children but on

- Assumption 6: Policy changes could have a dramatic effect on both the number and characteristics of the youth in custody.
- 6.1: During the projected 30 year life of a facility, King County citizens, through their elected officials, would choose to maximize the opportunities to review and alter public policy regarding detention of youth.

Discussion: Washington State's 1978 amendment to the Juvenile Code changed both the number and characteristics of the youth in custody. Dependent youth are no longer routinely detained. In 1986 Youth Services changed policy regarding Juvenile Probation Officers' sentencing recommendations; the result has been about a 12 youth per day reduction of sentenced offenders. Rather than using short-term detention sanctions Probation Officers work with the youth in their communities.

The Master Plan work group acknowledges its limitations in predicting the immediate or cumulative effects of major public policy changes over the next thirty years.

#### Detention Population Through 2010

This section will present background for the population numbers and characteristics which are the basis for the proposed operating program and, finally, the building program to be produced by this Master Plan effort.

The number of youth in custody of the Detention Services Division is a function of the number of youth physically presented by law enforcement, held as the result of or for a Court hearing, or sentenced by the Superior Court. (There are a few other types of holds which contribute minimally to the number.)

Youth held pending some Court action comprised about 75% of the population in 1987. Whether a pre-adjudicated youth\* is in custody, if presented by law enforcement or after review by the Court, depends on whether he meets the Detention Intake Criteria. These are developed, under the direction of the Superior Court, by the DYS Court Services Division. While they are subject to periodic review (e.g., a revision was completed in late 1987), the Criteria have resulted in a relatively stable pre-adjudicated population of between 76-88 for the years 1982 to 1987.

Youth sentenced to detention averaged about 39 in 1986 and 27 in 1987. Whether a youth is eligible for detention time and the length of the sentence is dictated by State sentencing standards. Within these standards the Judge, sorting through recommendations from attorneys and probation counselors, determines the precise number of days.

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\*Term for this report includes any non-sentenced detainee, including those who have been tried and found guilty.

Below is a table summarizing Detention Services population figures.

<u>Year</u>	<u>Average Total Building Count</u>			<u>Average Daily</u>		<u>Peak Daily Population</u>
	<u>Non Sent</u>	<u>Sent</u>	<u>Total</u>	<u>Popul</u>	<u>% of TBC</u>	
1981	69	36	105			
1982	76	46	122			
1983	79	54	133	119	89%	163
1984	86	45	131	118	90%	165
1985	85	42	127	115	91%	155
1986	88	39	127	114	90%	162
1987	81	27	108	97	90%	122

Phase I Recommendations. The Phase I report compared King County detention rates to other jurisdictions and recommended that only youth who meet the Institute of Judicial Administration and American Bar Association (IJA/ABA) standard be detained: youth accused of a crime of violence, youth who are fugitives from a jurisdiction that has requested a return, youth who are escapees from an institution or other commitment, youth with a recent record of willful failure to appear and only detention can reasonably assure appearance. The result was projected population of about 26 pretrial youth by 2000. Phase I assumed the status quo number (before DYS policy change) for sentenced youth, increased for "at risk" population growth to 53 youth. The total projected population from this report was about 80. (Note: the pretrial population was somewhat underestimated because the data base used obscured the warrants issued for "failure to appear".)

Current Intake Criteria and Sentencing Recommendations. The recently reviewed and redrafted Intake Criteria include a wider scope of youth to be detained than that proposed by the Phase I report. For example, a youth can be detained, preadjudication, on a B or C+ felony (e.g., burglary 2nd) referral if he has been presented to detention for at least a D felony in the last 60 days. Sentencing recommendations from Juvenile Probation Officers are often followed by the Judge. DYS continues to monitor its policies on these recommendations and the resulting impacts on Detention population. Assuming no change in policy, the number of youth in custody through 2010 by general category of hold is estimated to be as follows:

	Number of Youth
Pre-adjudicated: "Serious offenders" (IJA/ABA Standards)	25
Warrant holds	25
Other (e.g., chronic offenders)	25
Sentenced:	<u>30</u>
Total . . . . .	105

Average Daily Population, Turnover, Peaking. The 105 figure represents the estimated average daily population (ADP), the number counted at a particular time of day. There are, of course, a larger number of youth in custody during a twenty-four hour period due to turnover caused by temporary holds, admissions and releases. Through 1986 and 1987 the DYS experidnce indicates that the total building count (TBC) was about 10% greater thaf the ADP. In addHtion, in 1987 pdN of 105 generates a need for a housing capacity of about 130.

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Classification. Whether additional housing capacity is required to deal with classification depends on both program and facilities. Recommendations on these issues, if accepted, will preclude having to add capacity for classification.

Community Based Corrections. The Washington State Division of Juvenile Rehabilitation has approached King County about contracting for service units for youth sentenced to State institutions. The Division is developing a long-range plan to further implement community based corrections. King County contributes a large number of youth to the institutional population and is one of the few major Counties who do not now contract to offer the State this service. The number of service units being requested is 20.

Recommendation. Based on the material presented above, DYS the recommended capacity for the Detention Services Division is 150. This figure assumes:

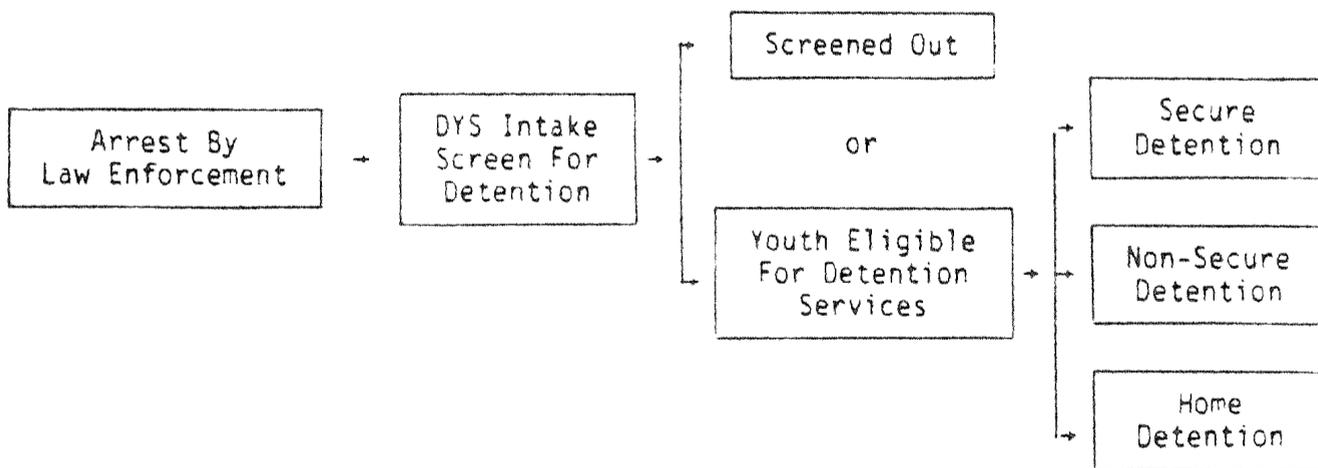
	Capacity
-current or similar Detention Intake Criteria	105
-peaking/turnover increase (20% of 130)	+ 26
-service to 20 youth through contract with Washington State	+ 20
Total	151
Use	150

Detention Operating Program

Continuum of Care. A Continuum of Care has been recommended by the consultants working on the Detention Services Operating Program. Adopting this general concept is also recommended by DYS. The material presented in this section, therefore, assumes their Continuum of Care modified by certain local decisions and legal factors. Chart 1 illustrates how a youth would enter the Continuum.

Chart 1

Screening for Detention Services



As noted, the Continuum would have three major components:

- Least restrictive INTENSE COMMUNITY CUSTODY (Home Detention)
  - a) Youth's own home
  - b) Foster home
  - c) Professional parents' home (up to 4 youth)
- MINIMUM SECURE CUSTODY (Group Care)
- Most restrictive . SECURE DETENTION

The units of service/detention capacity required based on the analysis of population (reported in the section above) are projected at 150. The program consultants' report suggests that about 38% of capacity be in Secure Detention; this would project to about 60 beds. Applying the consultants' recommendations and advice from the Master Plan Oversight Committee and the Superior Court

Judges, the detention capacity would be distributed along the Continuum of Care as follows:.

		Percent	Number
Secure Detention	King County sentenced youth	100%	37
	State sentenced youth	40%	8
	Pre-adjudicated youth	50%	47
	Subtotal		92
Minimum Secure and Intense Community Custody	King County sentenced youth	0%	0
	State sentenced youth	60%	12
	Pre-adjudicated youth	50%	47
	Subtotal		59
	Total		151
	Use		150

Typical youths in Secure Detention would be those returning from a State Institution for further Court hearings, "Serious Offenders" (RCW 13.40.020(1)) or youth referred for crimes against persons. Typical youths in Minimum Secure or Community Custody would be those referred for property offenses or for warrants for failure to appear.

The operating program consultants also recommended that the functions of deciding whether a youth should be detained and, if detained, where housed on the Continuum should be located outside either the Court Services or Detention Services Divisions.

Behavior Management Program. The consultants' recommend that behavior control should result from program, not physical plant; and that the program be youth-centered. The concept should be used consistently throughout the various levels of the Continuum.

Recommendation. DYS recommends that the Continuum of Care be implemented as soon as possible, that the Intake function reports to other than Court Services or Detention Services Managers, and behavior control be provided through a youth-centered program.

Department of Youth Services - Detention Master  
Space Plan: Population & Program

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Introduction

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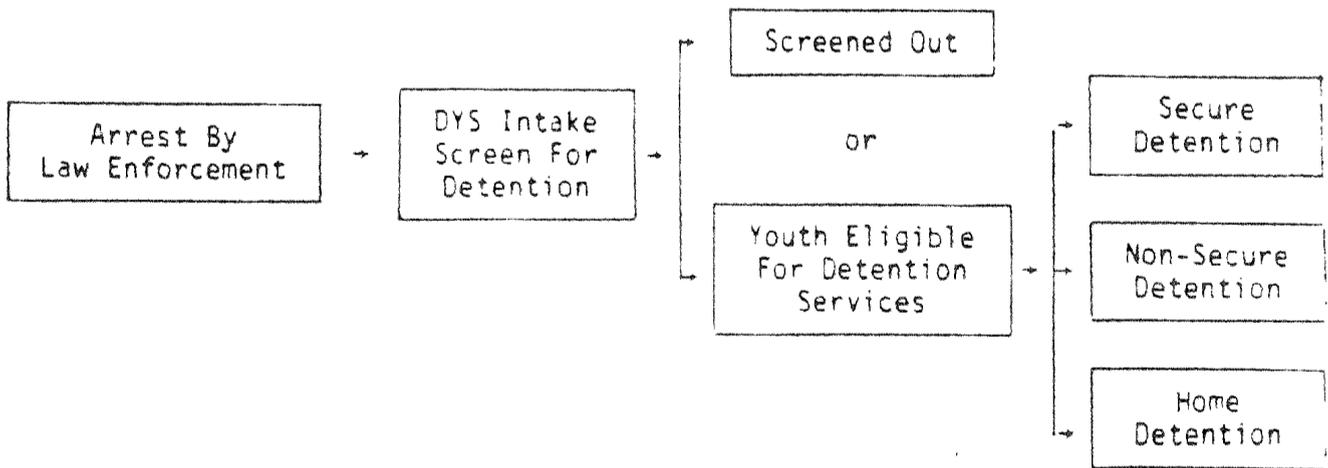
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- Most restrictive SECURE DETENTION

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