



King County

1200 King County
Courthouse
516 Third Avenue
Seattle, WA 98104

Meeting Agenda Metropolitan King County Council

*Councilmembers: Girmay Zahilay, Chair;
Sarah Perry, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Jorge L. Barón, Rod Dembowski,
Teresa Mosqueda, De'Sean Quinn, Pete von Reichbauer*

1:30 PM

Tuesday, September 16, 2025

Hybrid Meeting

Hybrid Meetings: Attend King County Council meetings in person in Council Chambers (Room 1001), 516 3rd Avenue in Seattle, or through remote access. Details on how to attend and/or provide comment remotely are listed below.

HOW TO PROVIDE PUBLIC TESTIMONY: The Council values community input and looks forward to hearing from you. Testimony must be limited to items listed on the agenda for council action, unless it's the fourth Tuesday of the month, when the Council will hear general comment on matters relating to county government. You are not required to sign up in advance.

There are three ways to provide public testimony:

1. **In person:** You may attend the meeting in person in Council Chambers.
2. **By email:** You may testify by submitting a COMMENT email. If your testimony is submitted before 10:00 a.m. on the day of the Council meeting, your email testimony will be distributed to the Councilmembers and appropriate staff prior to the meeting. Please submit your testimony by emailing clerk@kingcounty.gov.
3. **Remote attendance on the Zoom Webinar:** You may provide oral public testimony at the meeting by connecting to the meeting via phone or computer using the ZOOM application at <https://zoom.us/>, and entering the Webinar ID below.

	<p>Sign language and interpreter services can be arranged given sufficient notice (206-848-0355). TTY Number - TTY 711.</p> <p>Council Chambers is equipped with a hearing loop, which provides a wireless signal that is picked up by a hearing aid when it is set to 'T' (Telecoil) setting.</p>	
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CONNECTING TO THE WEBINAR

Webinar ID: 890 5838 1493



If you do not have access to the ZOOM application, you can connect to the meeting by calling 1 253 215 8782 and using the Webinar ID. Connecting in this manner, however, may impact your ability to be unmuted to speak.

You have the right to language access services at no cost to you. To request these services, please contact our Equity and Social Justice Coordinator, Tera Chea at (206) 477 9259 or Tera.Chea2@kingcounty.gov, three (3) days prior to the meeting.

If you do not wish to be called upon for public comment during the meeting, please help us manage the callers and use one of the options below (Live Streaming or King County TV Channel 22).

HOW TO LISTEN TO THE MEETING: There are several ways to listen to the meeting if you don't wish to provide public testimony:

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1. Call to Order

To show a PDF of the written materials for an agenda item, click on the agenda item below.

2. Roll Call**3. Flag Salute and Pledge of Allegiance**

Councilmember von Reichbauer

4. Approval of Minutes of September 9, 2025

Pg. 10

Councilmember Perry

5. Additions to the Council Agenda**6. Special Items****Recognition of September 16, 2025, as Mexican Independence Day**

Councilmember von Reichbauer, Councilmember Mosqueda, and Councilmember Zahilay

Proclamation of September 2025 as National Recovery Month in King County

Councilmember Dunn

Recognition of Heather Venegas as the 2025 King County Recovery Champion

Councilmember Dunn

Proclamation of September 15 to October 15, 2025, as Latino/a/e Heritage Month in King County

Councilmember Barón and Councilmember Mosqueda

County Service Awards

Executive Braddock



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Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

There will be one public hearing on Items 6-16 (Proclamations and Recognitions Only)

Consent Item 7

Councilmember Perry

7. [Proposed Ordinance No. 2025-0260](#) **Pg. 18**

AN ORDINANCE revising the loan agreement between King County and the Pacific Science Center Foundation.

Sponsors: Barón

On 9/9/2025, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee.

On 9/10/2025, the Budget and Fiscal Management Committee Recommended Do Pass Consent.

Budget and Fiscal Management

Councilmember Dembowski

8. [Proposed Substitute Ordinance No. 2025-0182.2](#) **Pg. 29**

AN ORDINANCE relating to solid waste fees charged at recycling and transfer facilities and at the Cedar Hills regional landfill; and amending Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021 and establishing an effective date.

Sponsors: Zahilay

On 7/8/2025, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee.

On 8/27/2025, the Budget and Fiscal Management Committee Recommended Do Pass Substitute.

On 9/9/2025, the Metropolitan King County Council Deferred.

Public Hearing Required



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9. [Proposed Substitute Ordinance No. 2025-0212.2](#) Pg. 79

AN ORDINANCE relating to the levy collection of the sales and use tax of one-tenth of one percent for the delivery of behavioral health services and therapeutic courts authorized by RCW 82.14.460; continuing the sales and use tax; adding a new section to K.C.C. chapter 4A.500, establishing an effective date, and establishing an expiration date.

Sponsors: Dembowski

On 7/22/2025, the Metropolitan King County Council Introduced and Referred to Budget and Fiscal Management Committee.

On 8/27/2025, the Budget and Fiscal Management Committee Recommended Do Pass Substitute.

On 9/10/2025, the Regional Policy Committee examined and commented.

Health, Housing, and Human Services

Councilmember Mosqueda

10. [Proposed Ordinance No. 2025-0266](#) Pg. 100

AN ORDINANCE relating to contract management and compliance monitoring protocols for the department of community and human services; and amending Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.130.

Sponsors: Dunn, Balducci, Perry and Zahilay

On 9/2/2025, the Metropolitan King County Council Introduced and Referred to Health, Housing, and Human Services Committee.

**SUBJECT TO A MOTION TO RELIEVE THE COMMITTEE OF FURTHER CONSIDERATION
PURSUANT TO K.C.C. 1.24.125**



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Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

Consent Items 11-14

Councilmember Perry

11. [Proposed Motion No. 2025-0220](#) **Pg. 107**

A MOTION acknowledging receipt of a plan for use of the west wing of the King County Correctional Facility as an area to provide alternatives to secure detention services as required by the 2025 Annual Budget Ordinance, Ordinance 19861, Section 54, Proviso P2.

Sponsors: Barón

On 8/19/2025, the Metropolitan King County Council Introduced and Referred to Law and Justice Committee.

On 9/3/2025, the Law and Justice Committee Recommended Do Pass Consent.

12. [Proposed Motion No. 2025-0256](#) **Pg. 134**

A MOTION approving renewal of contract for assistant chief legal counsel to the King County council.

Sponsors: Zahilay

On 8/26/2025, the Metropolitan King County Council Introduced and Referred to Employment and Administration Committee.

On 9/2/2025, the Employment and Administration Committee Recommended Do Pass Consent.

13. [Proposed Motion No. 2025-0257](#) **Pg. 137**

A MOTION approving renewal of contract for chief legal counsel to the King County council.

Sponsors: Zahilay

On 8/26/2025, the Metropolitan King County Council Introduced and Referred to Employment and Administration Committee.

On 9/2/2025, the Employment and Administration Committee Recommended Do Pass Consent.



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14. [Proposed Motion No. 2025-0258](#)

Pg. 140

A MOTION confirming the reappointment of Hilary De La Cruz to the citizens' elections oversight committee as a King County registered voter.

Sponsors: Zahilay

On 8/26/2025, the Metropolitan King County Council Introduced and Referred to Employment and Administration Committee.

On 9/2/2025, the Employment and Administration Committee Recommended Do Pass Consent.

Law and Justice

Councilmember Barón

15. [Proposed Substitute Motion No. 2025-0206.2](#)

Pg. 147

A MOTION acknowledging receipt of an independent monitoring report on the confinement of juveniles in county detention facilities as required by the 2025 Annual Budget Ordinance, Ordinance 19861, Section 54, Proviso P3.

Sponsors: Barón

On 7/15/2025, the Metropolitan King County Council Introduced and Referred to Law and Justice Committee.

On 9/3/2025, the Law and Justice Committee Recommended Do Pass Substitute.

Reappointment Consent Agenda Item 16

Councilmember Perry

16. [Proposed Motion No. 2025-0247](#)

Pg. 224

A MOTION confirming the executive's reappointment of Daniel Martin, who resides in council district eight, to the King County community advisory committee on law enforcement oversight, as a representative from King County sheriff contract cities.

Sponsors: Mosqueda



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First Reading and Referral of Ordinances

17. [Proposed Ordinance No. 2025-0141](#)

AN ORDINANCE authorizing the executive to execute an amendment extending the term of fiber optic installation and maintenance agreements; authorizing the executive to enter into future project agreements under approved general terms and conditions; and authorizing the executive to execute two project agreements for fiber optic installation and maintenance with the city of Seattle and the Washington state Department of Transportation.

Sponsors: von Reichbauer

First Reading and Referral to the Government Accountability and Oversight Committee

18. [Proposed Ordinance No. 2025-0278](#)

AN ORDINANCE relating to the levy collection of the sales and use tax of one-tenth of one percent for the delivery of behavioral health services and therapeutic courts authorized by RCW 82.14.460; continuing the sales and use tax; adding a new section to K.C.C. chapter 4A.500, establishing an effective date, and establishing an expiration date.

Sponsors: von Reichbauer

First Reading and Referral to the Health, Housing, and Human Services Committee

First Reading and Referral of Motions

19. [Proposed Motion No. 2025-0272](#)

A MOTION approving the 2026 budget and work program for ARCH, A Regional Coalition for Housing.

Sponsors: Balducci

First Reading and Referral to the Committee of the Whole

20. [Proposed Motion No. 2025-0273](#)

A MOTION approving the 2026 work plan and 2026 budget for SKHHP, South King Housing and Homelessness Partners.

Sponsors: Balducci

First Reading and Referral to the Committee of the Whole



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21. [Proposed Motion No. 2025-0274](#)

A MOTION approving the extension of the executive's appointment of Stephen Heard as acting director of the King County department of information technology.

Sponsors: Balducci

First Reading and Referral to the Committee of the Whole

22. **Reports on Special and Outside Committees****Other Business****Adjournment**

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King County

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Meeting Minutes

Metropolitan King County Council

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Sarah Perry, Vice Chair of Policy Development and Review;
Reagan Dunn, Vice Chair of Regional Coordination;
Claudia Balducci, Jorge L. Barón, Rod Dembowski,
Teresa Mosqueda, De'Sean Quinn, Pete von Reichbauer*

1:30 PM

Tuesday, September 9, 2025

Hybrid Meeting

DRAFT MINUTES

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- 3. Listen to the meeting by telephone – See “Connecting to the Webinar” above.**

1. Call to Order

The meeting was called to order at 1:32 p.m.

2. Roll Call

Present: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer and Zahilay

3. Flag Salute and Pledge of Allegiance

Councilmember Balducci led the flag salute and Pledge of Allegiance.

4. Approval of Minutes of September 2, 2025

Councilmember Perry moved to approve the minutes of the September 2, 2025, meeting as presented. Seeing no objection, the Chair so ordered.

5. Additions to the Council Agenda

There were no additions.

6. Special Items**Legislative Branch Service Awards**

Chair Zahilay presented service awards to the following Legislative Branch employees:

Clara Manahan - 5 years

Lauren Olson - 5 years

Jessica Oscoy - 5 years

Lorena Gutierrez Perez - 5 years

Dan Loya - 10 years

Rhonda Lewis - 15 years

Elise Daniels - 20 years

Tracy Calderon - 30 years

Proclamation of September 15 to 21, 2025, as Diaper Need Awareness Week in King County

Councilmember Balducci, Councilmember Perry, and Executive Braddock, made remarks, presented the Proclamation of September 15 to 21, 2025, as Diaper Need Awareness Week in King County, and introduced Morgan McGinn, Director of Development and Communications at WestSide Baby and Helen Banks Routon, Director of Development and Community Relations at KidVantage, formerly Eastside Baby Corner. Helen Banks Routon and Morgan McGinn made remarks and thanked the Council.

Hearing and Second Reading of Ordinances from Standing Committees and Regional Committees, and of Ordinances related to Collective Bargaining

There will be one public hearing on Items 6 (Proclamation Only) and 7-10.

The following people spoke:

Alex Tsimmerman

Alissa Campbell

Joe Kunzler

David Ames

Budget and Fiscal Management

7. **[Proposed Substitute Ordinance No. 2025-0182.2](#)**

AN ORDINANCE relating to solid waste fees charged at recycling and transfer facilities and at the Cedar Hills regional landfill; and amending Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021 and establishing an effective date.

Sponsors: Zahilay

April Sanders, Council Staff, briefed the Council and answered questions.

John Taylor, Director, Natural Resources and Parks, briefed the Council and answered questions.

David Pierce, Manager, Enterprise Services Section Manager, Solid Waste Division, briefed the Council and answered questions.

Rebecca Singer, Director, Solid Waste Division, briefed the Council and answered questions.

At the request of Councilmember Dembowski, the Chair deferred Proposed Substitute Ordinance 2025-0182 to the September 16, 2025, Council meeting.

A Public Hearing was held and closed. This matter was Deferred.

First Reading of and Action on Emergency Ordinances without Referral to Committee

8. [Proposed Ordinance No. 2025-0275](#)

AN ORDINANCE relating to council rules and order of business; amending Ordinance 11683, Section 4, as amended, and K.C.C. 1.24.035; and declaring an emergency.

Sponsors: Zahilay

The enacted number is 19968.

Councilmember Perry moved to suspend the rules to hold a public hearing less than seven days after first reading pursuant to K.C.C. 1.24.095 and a motion to suspend the rules to take action on Item 8 without referral to committee pursuant to K.C.C. 1.24.095. Seeing no objection, the Chair so ordered.

Jeff Muhm, Chief Policy Officer, briefed the Council and answered questions.

A Public Hearing was held and closed. A motion was made by Councilmember Perry that this Ordinance be Passed. The motion carried by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer, and Zahilay

Motions, from Standing Committees and Regional Committees and Motions related to Collective Bargaining, for Council Action

Consent Item 9

9. [Proposed Substitute Motion No. 2025-0259.2](#)

A MOTION confirming the appointment of John Rodriguez to the citizens' elections oversight committee as a representative of the Spanish-speaking community.

Sponsors: Zahilay

The enacted number is 16872.

A Public Hearing was held and closed. A motion was made by Councilmember Perry that this Motion be Passed. The motion carried by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer, and Zahilay

Reappointment Consent Agenda Item 10

10. [Proposed Motion No. 2025-0243](#)

A MOTION confirming the executive's reappointment of Bilan Aden, who resides in council district five, to the King County Communities of Opportunity-Best Starts for Kids levy advisory board, as a community member who reflects demographic characteristics of the communities that qualify for funding in accordance with Communities of Opportunity funding guidelines and who are grassroots organizers or activists in those communities or who live in or have worked in those communities.

Sponsors: Quinn

The enacted number is 16873.

A Public Hearing was held and closed. A motion was made by Councilmember Perry that this Motion be Passed. The motion carried by the following vote:

Yes: 9 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Quinn, von Reichbauer, and Zahilay

First Reading and Referral of Ordinances

11. [Proposed Ordinance No. 2025-0260](#)

AN ORDINANCE revising the loan agreement between King County and the Pacific Science Center Foundation.

Sponsors: Barón

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

12. [Proposed Ordinance No. 2025-0269](#)

AN ORDINANCE approving the City of Redmond Water System Plan dated May 2025.

Sponsors: Perry

This matter had its first reading and was referred to the Local Services and Land Use Committee.

13. [Proposed Ordinance No. 2025-0270](#)

AN ORDINANCE adopting the 2025 King County real property asset management plan in response to K.C.C. 4.56.350; and amending Ordinance 10810, Section 1, as amended, and K.C.C. 4.56.350.

Sponsors: Dembowski

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

14. [Proposed Ordinance No. 2025-0271](#)

AN ORDINANCE authorizing the executive to execute an amendment to an agreement approved under Ordinance 19821 with the Washington state Department of Ecology for loan financing for a wastewater capital project.

Sponsors: Dembowski

This matter had its first reading and was referred to the Budget and Fiscal Management Committee.

15. [Proposed Ordinance No. 2025-0276](#)

AN ORDINANCE approving the grant funding allocation for the council-designated projects funded through the WaterWorks grant program, for the 2025 cycle, in accordance with the 2025 Annual Budget Ordinance, Ordinance 19861, Section 59, as amended, and Ordinance 18031, Section 1, as amended.

Sponsors: Quinn

This matter had its first reading and was referred to the Committee of the Whole.

First Reading and Referral of Motions

16. [Proposed Motion No. 2025-0239](#)

A MOTION confirming the executive's appointment of Yessica Osorio Duran, who resides in council district five, to the King County children and youth advisory board, as a youth representative.

Sponsors: Quinn

This matter had its first reading and was referred to the Health, Housing, and Human Services Committee.

17. [Proposed Motion No. 2025-0240](#)

A MOTION confirming the executive's appointment of Megan Walsh, who resides in council district three, to the King County children and youth advisory board.

Sponsors: Perry

This matter had its first reading and was referred to the Health, Housing, and Human Services Committee.

18. [Proposed Motion No. 2025-0254](#)

A MOTION confirming the executive's appointment of Jeni Johnson, who resides in council district eight, to the King County mental illness and drug dependency advisory committee, as a representative of unincorporated King County.

Sponsors: Mosqueda

This matter had its first reading and was referred to the Health, Housing, and Human Services Committee.

19. [Proposed Motion No. 2025-0261](#)

A MOTION confirming the executive's appointment of Luz Escalante, who resides in council district five, to the King County immigrant and refugee commission.

Sponsors: Quinn

This matter had its first reading and was referred to the Committee of the Whole.

20. Reports on Special and Outside Committees

No reports were given.

Other Business

No other business was presented.

Adjournment

The meeting was adjourned at 2:43 p.m.

Approved this _____ day of _____

Clerk's Signature



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance

Proposed No. 2025-0260.1

Sponsors Barón

1 AN ORDINANCE revising the loan agreement between
2 King County and the Pacific Science Center Foundation.

3 STATEMENT OF FACTS:

4 1. Ordinance 19218 authorized a loan by King County to the Pacific
5 Science Center Foundation based on the policy considerations included in
6 that ordinance.

7 2. The loan was to be repaid over eight years from deferred sales taxes on
8 construction of Climate Pledge Arena to be received by the Pacific
9 Science Center Foundation from the Washington state Department of
10 Revenue.

11 3. The first four loan repayments have been received as expected.

12 4. At the time of the original loan agreement, the amount of deferred sales
13 taxes provided annually by the Washington state Department of Revenue
14 for the benefit of the Pacific Science Center Foundation was not known
15 with certainty.

16 5. Since that time, four years of payments have been received, starting
17 with \$2,241,327.70 in 2022, \$2,278,227.84 in 2023, \$2,356,874.95 in
18 2024, and \$2,447,850.69 in 2025, all of which are significantly higher than
19 originally assumed.

20 6. The Pacific Science Center Foundation has requested an increase in the
21 loan amount authorized in the original loan agreement by \$2,400,000,
22 based on the higher revenue.

23 7. King County supports this request to help the Pacific Science Center
24 achieve the benefits discussed in Ordinance 19218.

25 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

26 SECTION 1. The executive is hereby authorized to execute the second

- 27 amendment to the loan agreement between King County and the Pacific Science Center
28 Foundation, substantially in the same form as Attachment A to this ordinance.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: A. Second Amendment to Loan Agreement by and between King County and Pacific Science Center Foundation

SECOND AMENDMENT TO

LOAN AGREEMENT

by and between

KING COUNTY

and

PACIFIC SCIENCE CENTER FOUNDATION

Dated as of _____, 2025

LOAN AGREEMENT

This Second Amendment to Loan Agreement dated as of _____, 2025 ("Second Amendment") to the Loan Agreement, dated January 12, 2021 ("Original Loan Agreement") and the First Amendment dated July 16, 2021 ("First Amendment"), is made and entered into by and between King County, a charter county of the State of Washington (the "County") and the Pacific Science Center Foundation, a Washington non-profit corporation, d/b/a Pacific Science Center (the "Pacific Science Center"). Capitalized terms used herein and not otherwise defined shall have the meanings set forth in Section 12.01 of the Original Loan Agreement.

WITNESSETH:

WHEREAS, at the time of the Original Loan Agreement the amount of deferred sales taxes provided annually by the Washington State Department of Revenue for the benefit of the Pacific Science Center was not known with certainty; and

WHEREAS, since that time four years of payments have been received, starting with \$2,241,327.70 in 2022, \$2,278,227.84 in 2023, \$2,356,874.95 in 2024, and \$2,447,850.69 in 2025, all of which are significantly higher than originally assumed; and

WHEREAS, the Pacific Science Center has requested an increase in the loan amount authorized in the Original Loan Agreement by two million four hundred thousand dollars (\$2,400,000) (the "Additional Principal Amount") based on this higher revenue; and

WHEREAS, King County supports this request to help the Pacific Science Center achieve the benefits discussed in Ordinance 19218;

NOW, THEREFORE, in consideration of the covenants contained in the Original Loan Agreement, the parties hereto covenant, agree, and bind themselves as follows:

Section 1. Amendment to Section 3.01. Section 3.01 of the Original Loan Agreement is hereby amended to read as follows:

The County agrees, upon the terms and conditions contained in this Agreement, to lend to the Pacific Science Center and the Pacific Science Center agrees to borrow the principal amount of eleven million six hundred thousand dollars (\$11,600,000) (the "Loan") and an Additional Principal Amount of two million four hundred thousand dollars (\$2,400,000). The Loan shall be made by remitting the proceeds to the Pacific Science Center no later than thirty (30) days after the ordinance approving this Agreement becomes effective, unless that ordinance is subject to referendum ("Dated Date"). The Additional Principal Amount shall be made by remitting proceeds to the Pacific Science Center no later than thirty (30) days after the ordinance approving this Second Amendment becomes effective, unless that ordinance is subject to referendum.

Section 2. Amendment to Exhibit A. Exhibit A of the Original Loan Agreement is replaced by a new Exhibit A as attached to this Second Amendment.

IN WITNESS WHEREOF, the County and the Pacific Science Center have caused this Second Amendment to be executed in their respective legal names by their duly authorized officers, all as of the date first above written.

KING COUNTY

By _____
Shannon Braddock, King County Executive

PACIFIC SCIENCE CENTER FOUNDATION

By _____
Will Daugherty, President and Chief Executive Officer

EXHIBIT A

ANNUAL REPAYMENT SCHEDULE

Interest on outstanding principal shall be included with each principal payment.

YEAR	PRINCIPAL DUE
2022	\$1,450,000
2023	\$1,450,000
2024	\$1,450,000
2025	\$1,450,000
2026	\$2,050,000
2027	\$2,050,000
2028	\$2,050,000
2029	\$2,050,000

Loan is due in full if the Pacific Science Center receives a lump sum payment from the State.



King County

Metropolitan King County Council Budget and Fiscal Management Committee

STAFF REPORT

Agenda Item:	8	Name:	April Sanders
Proposed No.:	2025-0260	Date:	September 24, 2025

SUBJECT

An ordinance revising the loan agreement between King County and the Pacific Science Center Foundation.

SUMMARY

Proposed Ordinance 2025-0260 would authorize the Executive to execute an amendment to the loan agreement between King County and the Pacific Science Center Foundation, substantially in the form of Attachment A to the ordinance.

This amendment to the loan agreement would add an additional principal amount of \$2.4 million to the loan agreement, for a total loan amount of \$14 million, to be remitted by King County to the Pacific Science Center Foundation 30 days after the proposed ordinance becomes effective.

The original loan amount was based on an estimate of the deferred sales taxes. With construction of the Climate Pledge Arena complete, the actuals have exceeded the estimates. Because of this, the Pacific Science Center has requested this additional loan based on a conservative estimate of the moneys to be received in 2026 through 2029.

BACKGROUND

Pacific Science Center Foundation. The Pacific Science Center Foundation is a Washington non-profit corporation that operates the Pacific Science Center (PacSci). In the last year, PacSci served more than 489,000 visitors and provided educational programming aimed at Science, Technology, Engineering, and Math (STEM). This programming includes educational programs at low- or no-cost to low-income schools, PacSci's Science on Wheels, field trips, and Digital Discovery Workshops.

State Deferral Authorization. RCW 82.32.558 allowed the developer of the Climate Pledge Arena a deferral on payments of local sales and use tax for the construction of the arena and the practice facility at Northgate. RCW 82.32.559 further directs that half

of the repayment of deferred local sales and use taxes be distributed to the Pacific Science Center Foundation for the construction or rehabilitation of capital facilities used for youth educational programming related to discovery, experimentation, and critical think in the sciences. During the COVID-19 pandemic, this legislation was amended to allow moneys distributed to the Pacific Science Center Foundation to be used for both capital and operating expenses.

Ordinance Authorizing the Original Loan Agreement. Due in part to the impacts of the COVID-19 pandemic on funding for nonprofit organizations, the Pacific Science Center Foundation sought a loan from King County of \$11.6 million, backed by future repayments of deferred local sales and use taxes from the construction of Climate Pledge Arena and the practice facility at Northgate. \$11.6 million constituted 80% of the \$14.5 million originally anticipated from the sales tax deferral payments to the Pacific Science Center Foundation.

Ordinance 19218¹, adopted on December 15, 2020, authorized the Executive to execute the original loan agreement between King County and the Pacific Science Center Foundation. The agreement requires the loan to be repaid over eight years from deferred sales and use taxes on the construction of Climate Pledge Arena and the practice facility. At the time the ordinance was adopted, the amount of deferred sales and use taxes provided annually by the Washington state Department of Revenue to be transferred to the Pacific Science Center Foundation was not known with certainty.

The loan was made from the King County Investment Pool with the payment schedule requiring a payment of \$1.45 million per year, plus interest², to the County beginning in 2022.

Loan Payments to Date. To date, four years of payments have been received from the Pacific Science Center Foundation, as shown in Table 1 below.

**Table 1.
Loan Payments to Date**

Year	Principal Payment	Total Payment with Interest
2022	\$1,450,000	\$2,241,327.70
2023	\$1,450,000	\$2,278,227.84
2024	\$1,450,000	\$2,356,874.95
2025	\$1,450,000	\$2,447,850.69

¹ [King County - File #: 2020-0424](#)

² According to Section 3.01.1 of the Loan Agreement, the annual interest payment with respect to the outstanding loan balance is calculated using the 12 month average King County Investment Pool's Monthly Gross Earnings Rate for the 12 months prior to the date of payment.

First Amendment to the Loan Agreement. The first amendment to the loan agreement, which did not require Council approval, reflected the change to state law allowing the moneys to go towards operating, instead of just capital expenses.

ANALYSIS

Proposed Ordinance 2025-0260 would authorize the Executive to execute the second amendment to the loan agreement between King County and the Pacific Science Center Foundation, substantially in the form of Attachment A to the ordinance.

This amendment to the loan agreement would add an additional principal amount of \$2.4 million to the loan agreement, for a total loan amount of \$14 million, to be remitted by King County to the Pacific Science Center Foundation 30 days after the proposed ordinance becomes effective.

The transmittal letter indicates that the loan amount was based on an estimate of the deferred sales taxes dedicated to the Pacific Science Center Foundation. With construction of the Climate Pledge Arena complete, the actuals have exceeded the estimates. Because of this, the Pacific Science Center has requested this additional loan based on a conservative estimate of the moneys to be received in 2026 through 2029.

Table 2 below shows the annual repayment schedule if the proposed ordinance is adopted and the additional \$2.4 million is remitted. This annual repayment schedule is Exhibit A to Attachment A. Note that if the Pacific Science Center receives a lump sum payment from the state, the remainder of the loan would be due in full. This is consistent with the original loan agreement.

Table 2.
Amended Annual Repayment Schedule

Year	Principal Payment	Notes
2022	\$1,450,000	Paid on time
2023	\$1,450,000	Paid on time
2024	\$1,450,000	Paid on time
2025	\$1,450,000	Paid on time
2026	\$2,050,000	
2027	\$2,050,000	
2028	\$2,050,000	
2029	\$2,050,000	
TOTAL	\$14,000,000	

The Pacific Science Center indicates that remitted moneys to date have been allocated towards operating deficits during the pandemic as well as capital investments in exhibits.

INVITED

- Dwight Dively, Director, King County Office of Performance, Strategy, and Budget

ATTACHMENTS

1. Proposed Ordinance 2025-0260 (and its attachments)
2. Transmittal Letter
3. Fiscal Note



Signature Report

Ordinance

Proposed No. 2025-0182.2

Sponsors Zahilay

1 AN ORDINANCE relating to solid waste fees charged at
2 recycling and transfer facilities and at the Cedar Hills
3 regional landfill; and amending Ordinance 12564, Section
4 2, as amended, and K.C.C. 10.12.021 and establishing an
5 effective date.

6 STATEMENT OF FACTS

- 7 1. The solid waste division of the department of natural resources and
8 parks provides essential public services that protect human health, the
9 environment, and the quality of life in our region.
- 10 2. The solid waste division operates the Cedar Hills regional landfill,
11 eight transfer stations, and two drop boxes. It also provides innovative
12 programs to help customers prevent and recycle waste.
- 13 3. The department of natural resources and parks is proposing to change
14 the rate solid waste collection entity per-ton-rate vehicles are charged for
15 disposal of municipal solid waste from \$165.91 to \$179.18 per ton,
16 effective January 1, 2026.
- 17 4. The department of natural resources and parks is proposing to increase
18 the fixed-annual charge for disposal of municipal solid waste from
19 \$23,337,835 to \$26,838,510, effective January 1, 2026.

20 5. The impact on the average single-family household with a 32-gallon
21 weekly garbage collection service would be approximately seventy-one
22 cents per month in 2026.

23 6. The department of natural resources and parks will not increase the
24 \$13.00 per ton tip fee Surcharge for construction and demolition waste
25 generated within the county's jurisdiction and disposed of at landfills by
26 designated facilities.

27 7. Fee increases for 2026 enable the solid waste division of the
28 department of natural resources and parks to maintain essential solid waste
29 disposal and recycling services and generate the revenue needed to carry
30 out programmatic responsibilities required under adopted policies.

31 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

32 SECTION 1. Ordinance 12564, Section 2, as amended, and K.C.C. 10.12.021 are
33 hereby amended as follows:

34 Except as otherwise provided in K.C.C. 10.04.020 and 10.12.058, all persons
35 using county-operated solid waste transfer stations, drop boxes and Cedar Hills regional
36 landfill shall pay the service fees in the following schedules:

37 A. Fees for the use of solid waste facilities with scales, excluding Cedar Hills,
38 shall be:

39 1. Solid waste disposal:

40 Fixed-rate vehicles	(((\$32.60)) <u>\$36.69</u> per entry
41 Solid waste collection entity per-ton-rate vehicles	(((\$165.91)) <u>\$179.18</u> per ton
42 Self-hauler per-ton-rate vehicles	(((\$203.81)) <u>\$229.29</u> per ton

- 43 Charitable organizations ~~(((\$156.93))~~ \$176.55 per ton
- 44 Minimum ~~(\$32.60))~~ \$36.69 per vehicle
- 45 Charitable organizations, minimum charge ~~(((\$25.12))~~ \$28.25 per entry
- 46 2. Deposit of source-separated yard waste, clean wood waste, or any
- 47 combination thereof:
- 48 Fixed-rate vehicles ~~(((\$18.00))~~ \$20.70 per entry
- 49 Per-ton-rate vehicles ~~(((\$115.00))~~ \$129.38 per ton
- 50 Minimum charge ~~(((\$18.00))~~ \$20.70 per vehicle
- 51 3. Deposit of major appliances:
- 52 Major appliances with refrigerants \$30.00 per unit
- 53 4. Deposit of mattresses:
- 54 Mattresses \$30.00 per unit
- 55 5. Qualified low-income customers shall receive fee discounts of ~~(((\$18.00))~~
- 56 \$20.00 per entry for deposit of solid waste, yard waste, clean wood waste appliances and
- 57 mattresses. Customers with mixed loads must separate and deposit materials with
- 58 sequential visits to the scale house to receive a discount on the individual waste types.
- 59 B. Each billing entity in the solid waste system will pay a share of the fixed-
- 60 annual charge. The share each billing entity pays, for each service area it serves, is
- 61 directly proportional to the total tons of municipal solid waste, deposited by solid waste
- 62 collection entities at county-operated solid waste facilities in the most recent calendar
- 63 year for which data is available, as shown in the following formula:
- 64 1. $W = X * (Y / Z)$, where:

90	Minimum charge	((\$18.00)) <u>\$20.70</u> per vehicle
----	----------------	---

94 sequential visits to the scale house to receive a discount on the individual waste types.

99	Per-ton mattress	\$1,090.00 per ton
----	------------------	--------------------

103 schedule is as follows:

107	Fixed-rate vehicle	\$2.23 per entry
-----	--------------------	------------------

110	Uncompacted	\$0.73 per cubic yard
-----	-------------	-----------------------

111 Minimum charge \$2.23 per entry

112 Fixed-rate vehicles \$2.23 per entry

113 F. As determined by the division director, a special waste fee shall be charged for
114 special waste including asbestos-containing waste material and other wastes requiring
115 clearances in accordance with King County Board of Health Code Title 10 or rules
116 adopted by the department. The fee schedule is as follows:

117 Special waste fee ((~~\$244.57~~)) \$275.14 per ton

118 Special waste fee minimum charge ((~~\$39.09~~)) \$44.02 per entry

119 Special waste fee, extra handling ((~~\$285.33~~)) \$321.01 per ton

120 Special waste fee, extra handling

121 Minimum charge ((~~\$45.61~~)) \$51.36 per entry

122 G. In the absence of exact weights or measurements, the estimate by the division
123 director is binding upon the user.

124 H. The division director may establish fees for handling and processing of
125 recyclable materials for which no other fee has been established by ordinance. The fees

126 need not recover the full cost of handling and processing.

127 SECTION 2. This ordinance takes effect January 1, 2026.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: A. Proposed Solid Waste Disposal Fees for 2026

Proposed Solid Waste Disposal Fees for 2026

June 2025



King County

I. Contents

II.	Table of Figures.....	3
III.	Executive Summary	4
IV.	Background	5
	Landfill Gas Processing.....	7
	Capital Spending and Cost of Borrowing.....	7
	Interlocal Agreement Extensions	8
	Re+, Tonnage, and Rates	8
V.	Report Requirements.....	10
A.	Rate Model Methodology.....	10
B.	Proposed Fees for 2026	11
C.	Financial Projections: Expenditures, Reserves, and Revenue	12
	New and Continuing Investments	14
D.	Rate Determination	18
VI.	Conclusion/Next Steps.....	19
VII.	Appendices.....	19

II. Table of Figures

Figure 1: Overview of Basic Fee/Self-Haul Rate Increases **Error! Bookmark not defined.**

Figure 2: Proposed and Projected Rates, 2026-2031 7

Figure 3: SWD Projected Capital Project Spending, 2025-2030. 8

Figure 4: Tonnage History and Forecast, 2018-2035..... 9

Figure 5: 2025 Adopted Rates and 2026 Proposed Rates 11

Figure 6: Proposed Minimum Fees for Self-Haul Garbage and Yard/Wood Waste 12

Figure 7: Solid Waste Operating Fund Balance, 2025-2031 16

Figure 8: Projected Capital Spending and Debt Service, 2025-2031. 18

III. Executive Summary

The Department of Natural Resources and Parks (DNRP) is proposing an 8 percent increase on the commercial tipping fee, a 12.5 percent increase on the self-haul tipping fee, a 12.5 percent increase on the yard waste fee, and a 15 percent increase on the fixed annual charge. These increases are necessary due to rising costs to provide essential solid waste services, including recycling and waste disposal services at transfer stations, continued operations at the Cedar Hills Regional Landfill (CHRLF), recycling and waste-prevention programs, and to fund the department's capital improvement program. The impact of King County rate increases for a typical residential customer with a 32-gallon can, after commercial haulers pass along these costs, is forecasted to be \$0.71 per month in 2026.

Thirty-seven partner cities and 1.5 million people depend on these disposal services. The proposed increase also provides for investments necessary to achieve the goals contained in the 2019 Comprehensive Solid Waste Management Plan (Comp Plan) and the 2020 King County Strategic Climate Action Plan (SCAP).¹ This increase will allow DNRP to continue the services and programs customers have come to expect and rely on, and that have helped this region become one of the best for recycling in the nation.

DNRP is in a period of significant capital investment that will last several biennia and will modernize aging solid waste infrastructure, which will result in increased efficiency and opportunities for diverting recyclable materials from the landfill. These capital improvements will help facilitate shifting the solid waste division's (division) paradigm from solid waste management to one that prioritizes the recycling and reuse of materials. This proposed rate increase would support DNRP making an estimated investment of \$865 million for critical infrastructure projects between now and 2031. These investments will yield long-term financial benefits for rate payers, boost the local economy, and reduce the impact of waste on the environment. The department is also investing in its Re+ Plan, which is aimed at diverting or recycling the 70 percent of useful materials that are currently being thrown away.² King County's goal is to achieve zero waste by 2030, which will provide significant environmental and financial benefit to the region. This proposed rate increase funds these key initiatives while also positioning the department to maintain a smooth and steady rate path in future years, as requested by partner cities.

As rate pressure from the growth in capital spending has increased, the division has been exploring ways to mitigate the impact to rate payers. One approach is to defer appropriate projects into the future to more evenly distribute spending over several years rather than have a spike in spending, with the associated high debt service. One such project is the Permanent Facilities Relocation, which would build a new permanent maintenance facility to replace facilities that will be demolished during the development of Area 9 at the CHRLF. The project was originally estimated to spend more than \$100 million through 2029, but is being deferred to the early 2030s.

DNRP reached a settlement in March 2025 with the owner of the renewable natural gas processing facility at the landfill that will allow the County to acquire the plant later this year. The acquisition would enable the County to put the landfill gas it collects to beneficial use, displacing virgin fossil fuel extraction, and will generate additional revenue that can offset rate increases.

¹ [2019 Comprehensive Solid Waste Management Plan](#); [2020 King County Strategic Climate Action Plan](#).

² Additional information about Re+ can be found on the County's [Re+ website](#).

The division is planning no increases in existing operating expenses beyond inflation. Any emergent needs will be funded out of existing outlays. Minimal growth in operating expenses will help mitigate the upward pressure from capital growth.

The overarching goal of the fiscal planning work for this 2026 rate proposal has been to maximize value for customers while mitigating financial impacts on rate payers. This rate proposal follows months of partner engagement that began in January 2025. The department’s advisory committees – the Metropolitan Solid Waste Management Advisory Committee (MSWMAC) and Solid Waste Advisory Committee (SWAC) – expressed support of a rate increase that would allow the department to maintain current service levels, fund key investments in climate and environmental programs, and fulfill the commitments made in the Comp Plan.³

The proposed increase for 2026 is consistent with the projection from the 2025 Rate Proposal, which had forecasted that a similar level of increase would be necessary to fund the capital and operating expenditures, meet the department’s commitments to regional partners, successfully implement actions in the Comp Plan and SCAP, and fulfill the mandate to maintain essential services.

IV. Background

Department Overview: The King County Department of Natural Resources and Parks (DNRP) works in support of sustainable and livable communities and a clean and healthy natural environment. Its mission is to foster environmental stewardship and strengthen communities by providing regional parks, protecting the region’s water, air, land, and natural habitats, and reducing, safely disposing of, and creating resources from wastewater and solid waste.

DNRP’s Solid Waste Division (SWD, or the division) is guided by its vision to achieve zero waste of resources and enhance the environment through collaboration and innovation.⁴ The department operates eight transfer stations, two rural drop boxes, and the Cedar Hills Regional Landfill (CHRLF), which is the only operational landfill in the county. DNRP serves residents and business owners in unincorporated King County and 37 cities throughout the county, except the cities of Seattle and Milton, which are part of separate solid waste systems. The department’s solid waste mission is to “deliver value to its customers and stakeholders, and to continuously improve waste prevention, resource recovery, and waste disposal.”⁵ The DNRP solid waste rate supports ongoing services and operations as well as new investments in solid waste infrastructure and capital projects to serve its customers.

Key Historical Context: Historically, the department proposed rate increases on a biennial basis, but DNRP has been proposing annual increases over the past several years, typically ranging between 5 percent and 15 percent. During development of the 2019-2020 solid waste rate, interested parties and partner cities requested that DNRP take a more incremental approach to rate setting, to create a more predictable path for rate increases. Because of the disruption of the COVID-19 pandemic, the division deferred the 2021 rate increase, in consultation with the advisory committees, but returned to annual increases in 2022. The preference for more incremental adjustment has been reiterated in each

³ More information about the advisory committees can be found [here](#) and the Comp Plan can be found [here](#).

⁴ DNRP has rebranded these [zero waste of resources efforts as Re+](#).

⁵ More about the Solid Waste Division is found [here](#).

subsequent round of rate proposal discussions. The previous rate increase was a one-year adjustment for 2025. The current proposal covers 2026. The division expects to ask for additional rate increase in 2027, after a comprehensive examination of its revenue requirement and consideration of additional options for rate mitigation.

The primary drivers of the increased costs of services provided at transfer stations are the funds needed for capital projects, inflation, higher bond rates, and the ongoing cost to meet environmental and safety controls at the CHRLF and the closed landfill properties managed by the County.

Figure 1 shows the history of basic fee rate increases since 2021, along with the proposed increase for 2026 and projections through 2031. By staggering rate increases over one-year increments, they are more gradual over time. This avoids a single large rate increase over several biennia. Figure 1 shows that the projected rate increases following 2022 are expected to be greater than typical annual increases due to continued implementation of major capital projects approved of in the Comprehensive Solid Waste Management Plan (Comp Plan), such as building the South County Recycling and Transfer Station (SCRTS), which is now under construction, building the Northeast Recycling and Transfer Station (NERTS), and developing Area 9 at the CHRLF.⁶ SCRTS, NERTS, and extending the life of the landfill—the County’s least costly garbage disposal option – were approved by the cities through the Comp Plan adoption process. While these investments carry significant costs, they remain popular with MSWAC and SWAC. MSWAC and SWAC have provided letters, which accompany this proposal.

Starting in 2024, a change was made to the way disposal fees are charged to commercial haulers. Instead of the basic fee, commercial haulers now pay a commercial per-ton tip fee and a fixed annual charge (FAC). The commercial fee and FAC together are designed to collect the same amount of revenue previously collected solely through the basic fee. However, because the FAC is a fixed value that does not vary based on tonnage, it is a more stable revenue stream.

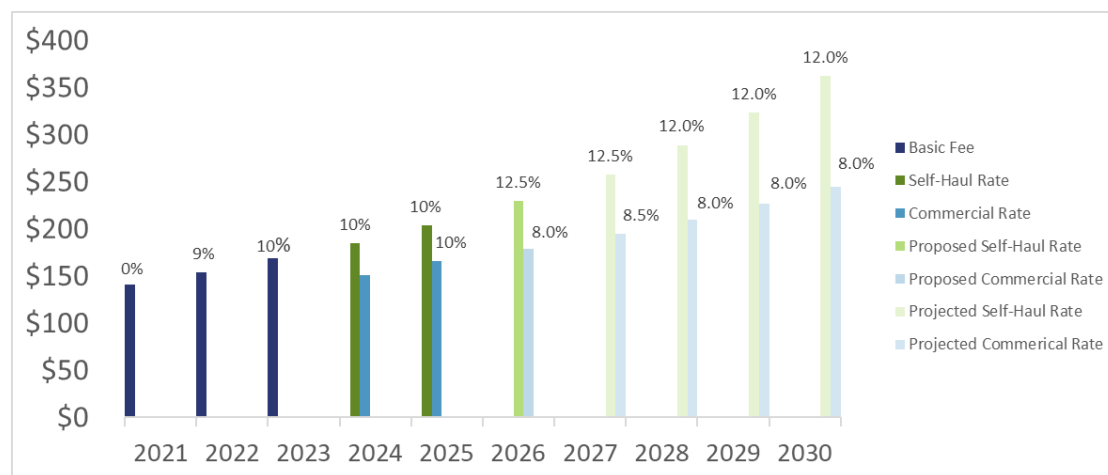


Figure 1: Overview of Basic Fee/Self-Haul Rate Increases⁷

⁶ Area 9 is the capital project which will develop a new and final waste cell at the landfill. This project is expected to add eight years of useful life to the landfill.

⁷ The rate increase percentage shown for 2021-2023 represents a change in the basic fee. In 2024 and beyond, due to the revised rate structure, the percentage increase shown represents an increase in the self-haul fee.

Key Current Context: The proposed rate and the projected rate path for the commercial tip fee, the self-haul rate, and the FAC are listed below:

Fee/Rate	2025	2026	2027	2028	2029	2030	2031
Self-Haul Rate	\$203.81	\$229.29	\$257.95	\$288.90	\$323.57	\$362.40	\$405.88
Commercial Rate	\$165.91	\$179.18	\$194.41	\$209.97	\$226.76	\$244.90	\$264.50
Fixed Annual Charge	\$23.3M	\$26.8M	\$30.9M	\$35.5M	\$40.7M	\$43.1M	\$45.1M

Figure 2: Proposed and Projected Rates, 2026-2031

Landfill Gas Processing

Historically, DNRP has earned several million dollars a year in revenues from the sale of landfill gas (LFG) and the accompanying environmental attributes associated with converting LFG to pipeline-quality natural gas.⁸ In 2023, those revenues essentially ceased as the processing plant, owned by Bio Energy Washington (BEW), suspended operations. In March 2025, the County reached a settlement agreement with BEW that would include acquisition of the plant by the County. The County plans to resume operations after purchase, and the landfill gas revenues would be used to cover the cost of operations and debt service for the acquisition. The net income from the processing plant will provide additional revenue that would benefit rate payers.

Capital Spending and Cost of Borrowing

DNRP has entered a period of heightened capital investment. Between 2025 and 2031, SWD forecasts spending approximately \$865 million on capital projects, including SCRTS, NERTS, expanding landfill capacity, and making significant upgrades to its landfill infrastructure. The pandemic recovery was accompanied by significant supply chain disruptions and permitting delays, which pushed capital spending on many projects into the present. Unfortunately, the cost of these capital expenditures has grown significantly over the last few years due to inflation and now higher interest rates on bonds issued to fund this work. Additional details on interest and inflation impacts are included below in the Financial Projections section of this report.

One way to approach this increase in capital spending is to defer appropriate projects into the future to more evenly distribute spending over several years rather than have a spike in spending, with the associated high debt service. One such project is the Permanent Facilities Relocation. This project would build a new permanent facility to replace the existing maintenance facilities that will be demolished to make room for development of Area 9 at the CHRLF. The project was originally estimated to spend over \$100 million through 2029. The division revisited this decision and has chosen to pause the project and search for other potential alternatives that meet future business needs. The pause would defer spending on this project out into the 2030s.

⁸ The division has primarily monetized the environmental attributes as Renewable Identification Numbers (RINs), which are credits used in the Renewable Fuel Standard (RFS) program managed by the U.S. Environmental Protection Agency (EPA). Parties needing to comply with RFS regulations purchase RINs, which are registered and regulated by the EPA.

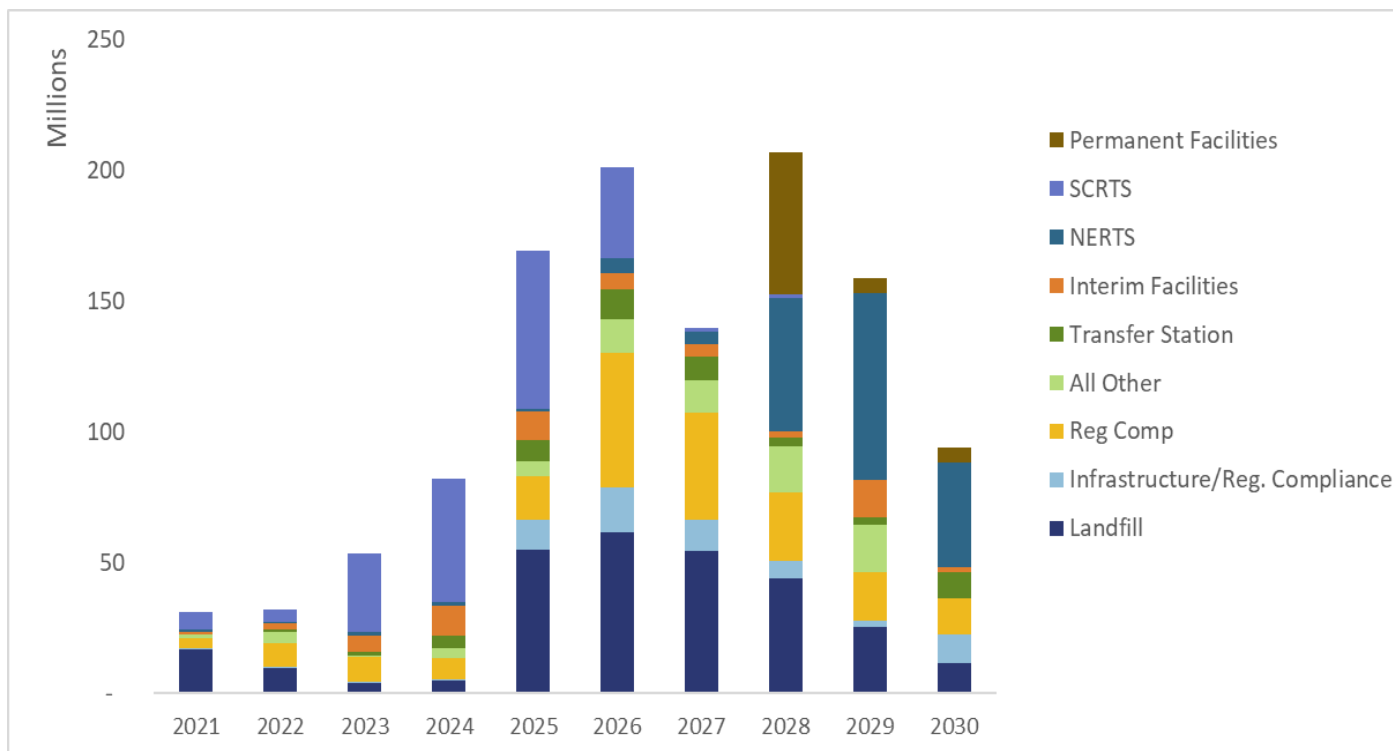


Figure 3: SWD Projected Capital Project Spending, 2025-2030⁹

Interlocal Agreement Extensions

An additional factor putting upward pressure on rates are the Interlocal Agreements (ILAs) DNRP has with 37 cities in the King County disposal system. These ILAs are set to expire in 2040, and with them the guaranteed revenue backing needed to issue long-term general obligation bonds to support the division’s capital improvement program. In 2022, partner cities indicated they did not want to begin ILA extension discussions until after a decision has been made on what will be done with waste after the closing of the CHRLF, expected to occur around 2040. Without ILA extensions past 2040, debt currently issued for capital projects will have ever-shorter repayment periods that will increase rates. The County will continue to engage with its city partners to confirm a timeframe for the extensions and will also look at other means of mitigating the debt impact of the ILA term.

DNRP has already begun work with consultants, partner cities, and advisory groups to update the 2019 Comp Plan, the process through which the long-term disposal decision will be made. It is currently estimated that the updated Comp Plan will be submitted to the Council in early 2028 and adopted by mid-2029. Seeking extensions to the ILAs will occur in the latter part of that process.

Re+, Tonnage, and Rates

As outlined in the King County Code, it is the County’s goal to “achieve zero waste of resources by 2030 through maximum feasible and cost-effective prevention, reuse, and reduction of solid wastes going into its landfills and other processing facilities.”¹⁰ In 2022, DNRP published the Re+ Plan, which outlines the primary actions the County and its partners (cities, haulers, businesses, etc.) will take to achieve the zero waste of resources goal. However, successful implementation of this plan could significantly

⁹ Project spending shown is unadjusted for the accomplishment rate.

¹⁰ [King County Code 10.14.020](#).

reduce landfill-bound municipal solid waste (MSW) tons and associated revenue, meaning rates will need to increase.

Figure 4 shows two forecasts for total MSW, in thousands of tons, that the County anticipates would be generated over the next 10 years. The baseline forecast assumes no Re+ actions are taken, while the Re+ forecast shows significant diversion of MSW.

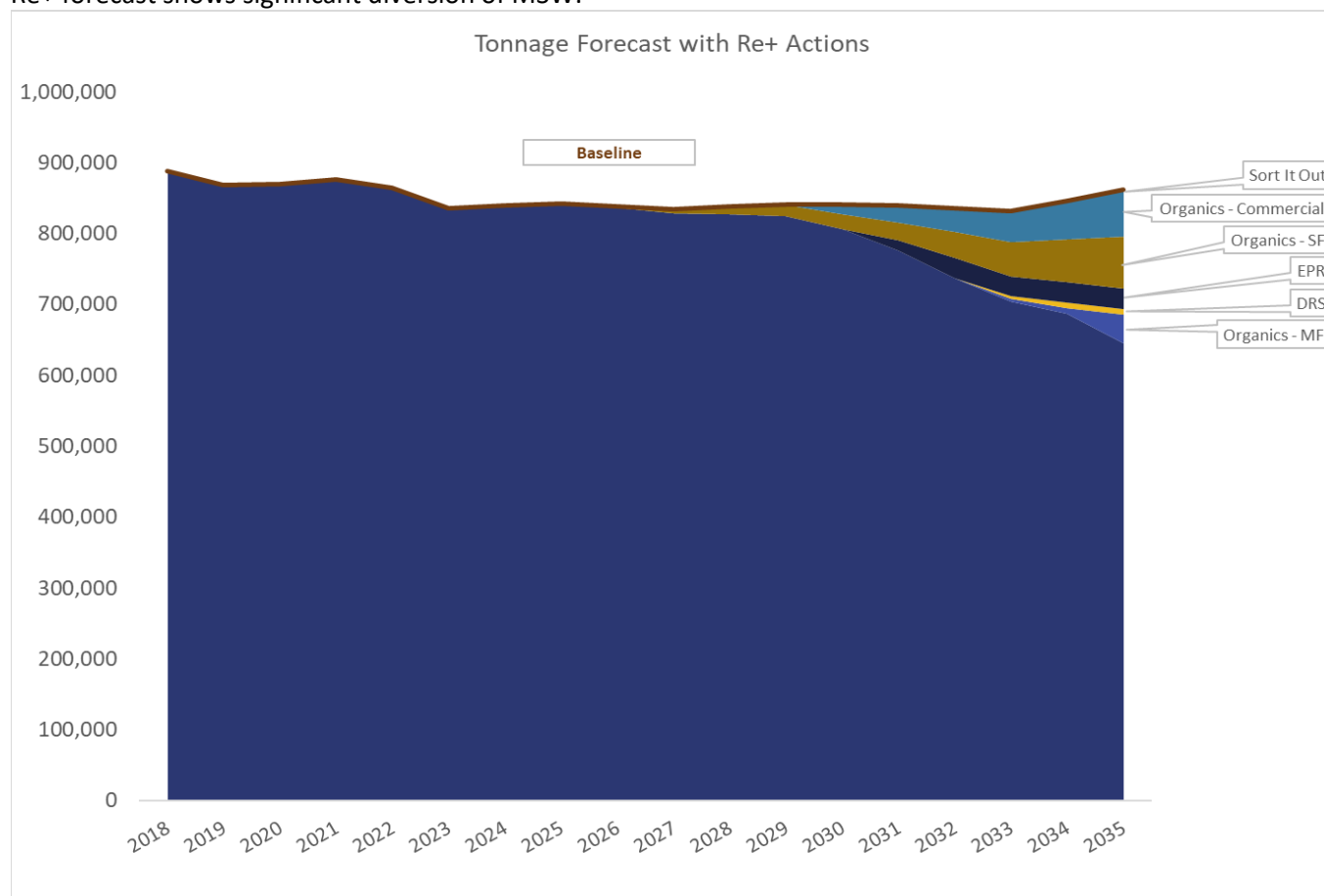


Figure 4: Tonnage History and Forecast, 2018-2035

SF=single-family; EPR=extended producer responsibility; DRS=deposit return system (for beverage containers); MF=multi-family

The Re+ forecast includes recoverable organics diversion, including food waste diversion resulting from the statewide organics legislation passed in 2022 as HB 1799; reduction due to extended producer responsibility and deposit return system legislation (anticipated in 2031); expanded recycling efforts at transfer stations; and new sorting technologies such as mixed-waste processing.¹¹ These estimates are based on the 2022 Waste Characterization Study, comparisons with historical DNRP efforts and similar programs in other jurisdictions, and consultant studies.¹²

Report Methodology: DNRP gathered data from various internal and external systems, including from the cashing system used at solid waste facilities for tonnage and revenue information (Paradigm), King County accounting and budget systems for expenditure information (Oracle), and the PRISM

¹¹ [HB 1799 – 2021-22](#)

¹² [2022 Waste Characterization Study](#)

database, which provides expenditure forecasts for capital projects. Ideas and additional information were gathered through internal DNRP collaborations and from various partners. Briefings with the DNRP solid waste advisory committees – the Metropolitan Solid Waste Advisory Committee (MSWAC) and the Solid Waste Advisory Committee (SWAC) – started in January 2025 and continued monthly through development of this proposal. The committees provided input on a variety of topics, including communications, rate options, and capital spending. Letters from the MSWAC and SWAC are included in this legislative package. This proposal was also developed with input and direction from the County’s Office of Performance, Strategy and Budget.

The methodology used in formulating the rate proposal is explained in detail below.

V. Report Requirements

A. Rate Model Methodology

Revenue generated by the rates charged supports all the services provided by SWD, including:

- The garbage (MSW) transfer system
- Disposal of MSW and Special Waste at the Cedar Hills Regional Landfill
- Recycling and yard waste collection at most transfer stations
- Hazardous and moderate-risk waste collection (at transfer stations)
- Waste-reduction programs
- Education and outreach

The vast majority of revenues to the Solid Waste Fund are comprised of disposal fees and the FAC. Three primary variables drive the revenue received from disposal fees: 1) the FAC, 2) tonnage, and 3) the tipping fees charged for tonnage. When tonnage decreases, revenue is reduced. Revenue generated by the rates must align with costs to ensure services are available for customers and jurisdictions.

To align revenue and costs, the cost to provide services (also referred to as the revenue target, revenue requirements, or expenditures) is determined by analyzing SWD’s spending patterns; updating assumptions about inflation and interest rates; factoring in changes in central rates; reviewing proposals for budget adds and reductions; identifying the level of reserve cash to maintain each year; and examining a host of other factors that influence the cost of solid waste services.¹³

Next, the amount of the FAC must be determined. This is done through a cost-of-service analysis at the customer class level. A customer class is “a grouping of solid waste customers with similar usage characteristics who are served at similar costs.”¹⁴ The cost-of-service analysis looks at the cost to provide services to each customer class, including both disposal and non-disposal related costs.

For example, to provide disposal service to commercial haulers, the County employs scale house and transfer station operators, drivers, mechanics, and landfill crews, and it builds, operates, and maintains

¹³ The Solid Waste Fund has three reserves. The rainy-day reserve, recession reserve, and rate stabilization reserve. Each reserve account has rules for the amount of cash that must be held in reserve and when those monies can be spent. More information about reserves is provided in Section C of this report and in Appendix B.

¹⁴ [FCS report](#), Section V.B. Solid Waste Classes of Service

transfer stations and the landfill. A portion of each of these costs is allocated to each of the customer classes based on their usage of that resource, usually determined by the number of tons or transactions a class generates.

Non-disposal costs include expenses, such as administration, regional planning, Re+ actions, and regulatory compliance. The FAC is based on the commercial haulers' portion of the non-disposal services costs. For example, if the sum of all non-disposal costs totaled \$100 million dollars, and the commercial customer class share of those costs was 30 percent, the FAC would be set at \$30 million dollars.

Nearly all other Solid Waste Fund revenues (other than the FAC) come from tonnage received at transfer stations. The remaining "other" revenues include rents on County-owned property, interest incomes, grant funding, and landfill gas revenues (currently zero). Once the FAC and other revenues are subtracted from the overall cost of service, or revenue requirement, the remaining cost must be divided by the projected tonnage to set the per-ton rates. At a high level, the relationship between the cost to provide services (expenditures), revenue, tonnage, and rates can be characterized as shown in the equation below:

$$\text{Expenditures} + \text{Reserves} = \frac{\text{Revenues Required} - (\text{FAC} + \text{Other Revenues})}{\text{Tonnage}} = \text{Per Ton Rate}$$

B. Proposed Fees for 2026

Per Ton Fees	2025	2026
Commercial Tipping Fee	\$ 165.91	\$179.18
Self-Haul Tipping Fee	\$203.81	\$229.29
Regional Direct	\$ 163.05	\$194.89
Special Waste	\$ 244.57	\$275.14
Yard Waste	\$ 115.00	\$129.38
Fixed Fee (in millions)	2025	2026
Fixed Annual Charge (FAC)	\$ 23.34	\$26.84
Curbside Impact	2025	2026
Avg monthly increase ¹⁵	\$ 0.93	\$0.97

Figure 5: 2025 Adopted Rates and 2026 Proposed Rates

Solid waste customers and jurisdictions have historically asked for and have come to expect some measure of the impact a rate increase proposal would have on the average retail rate of residents' waste collection bills. This is referred to as "curbside impact." The curbside impact measure identified in the table above is the average monthly curbside financial impact for all residents in the County's service area. This calculation is inclusive of all can sizes and based on average household garbage generation by weight. Notably, because all cities have different starting rates and distribute the disposal costs across their customer bases differently, the impact shown in this table will likely not match the actual curbside impact in any given city. However, it should be accurate in the aggregate across the entire SWD service area.

¹⁵ See Appendix A for additional information on the curbside impact calculation.

Fee	2025	2026
Self-Haul Garbage*	\$32.60	\$36.69
Yard/Wood Waste	\$18.00	\$20.70

*Fee shown is pre-tax and without a Hazardous Waste Fee surcharge.¹⁶

Figure 6: Proposed Minimum Fees for Self-Haul Garbage and Yard/Wood Waste

The department also charges a minimum fee on self-haul and yard/wood waste charges on weights of 320 pounds or less. Some vehicles, such as passenger vehicles, are automatically charged at the minimum fee.^{17, 18}

In 2026, the division is proposing to increase the Cleanup LIFT low-income customer discount from \$18 to \$20, roughly 50 percent of the minimum fee (including taxes and fees) for garbage transactions.¹⁹ Since the program began in 2019, the County has provided over 75,000 discounts to self-haul customers. In 2024, approximately 3.3 percent of all self-haul transactions were Cleanup LIFT transactions, up from 3.14 percent in 2023 and 2.7 percent in 2022.

Construction and Demolition Fee

The King County Construction and Demolition (C&D) Materials Diversion Program is funded through a \$13-per-ton fee on C&D waste sent to the landfill. Revenues collected through this fee can only be spent on expenses related to the handling and disposal of C&D.²⁰ Although there is no C&D rate increase proposed for 2026, the program anticipates future revenue increases by smaller, more incremental changes to the rate over time. King County contracts with C&D waste transfer and processing facilities to manage these materials, requiring those facilities to pay the C&D fee. C&D materials that are recycled or go to beneficial use are not subject to the fee.

C. Financial Projections: Expenditures, Reserves, and Revenue

The expenditure, reserve and revenue assumptions used to develop this proposal are detailed in this section.

¹⁶ The King County Board of Health (KCB OH) sets the moderate-risk waste surcharge amount that funds hazardous waste programs throughout the county. The KCB OH is not recommending any increases to this fee for 2026.

¹⁷ [KCC 10.40.020 NN](#) defines fixed-rate vehicles.

¹⁸ The minimum fee is typically set at 16 percent of the self-haul per-ton fee and assumes the customer is bringing 320 pounds or less to the station for disposal (320 pounds is 16 percent of one ton).

¹⁹ For self-haul customers, the County offers a discount for low-income individuals on their transaction if they can provide an Orca LIFT, Electronic Benefits Transfer (EBT) card, or Medicaid card.

²⁰ [KCC 4A.670.300](#) establishes the value of the fee and [KCC 10.30.050](#) establishes approved uses of the revenue.

As expressed through the adopted 2019 Comp Plan, it is the policy of King County to achieve zero waste of resources by 2030, replace transfer stations built in the 1960s, and maximize the life of the landfill. The new transfer stations will expand access to recycling and hazardous waste services, reduce wait times, and increase safety. The department evaluated existing SWD programs and projects to ensure alignment with the Comp Plan's strategic goals and commitments. DNRP identified several investments that would fulfill or strengthen these goals. In addition, several key factors contributed to increases in the revenue requirement for 2026. These are outlined below.

Economic Uncertainty: The county is facing economic conditions that could reduce revenues and increase costs. While inflation has cooled over the last year compared with 2022 and 2023, it may be exacerbated by increases in tariffs imposed by the U.S. on imported goods. This prolonged period of economic uncertainty has also reduced consumer confidence to its lowest point in more than a decade.²¹ These factors and other concerns about the economy could reduce expected tonnage and the attendant revenues; historically, economic downturns have correlated with decreased waste volumes delivered to the system. At the same time, economic uncertainty, declining consumer confidence, and inflation all put upward pressure on bond rates as the county enters a period of significant capital spending on solid waste infrastructure.

Debt service vs. operating growth: One trend that will emerge over the next six to eight years is the ratio of debt service to operating costs as the driving force behind rate increase proposals and as a proportion of SWD's budget. Growth in capital costs is largely a function of implementing the actions called for in the 2019 Comp Plan. These include building the SCRTS and NERTS facilities and maximizing the life of the landfill. Capital costs are also disproportionately larger due to the ILA time constraint on debt discussed above.

Capital Equipment Replacement Program Transfer. The department maintains reserves equal to 10 percent of the value of its rolling stock in the Capital Equipment Replacement Program (CERP) to ensure adequate funding is available to replace vehicles and other equipment that has reached the end of its useful life. The division has reviewed planned spending levels relative to the current fund balance and is proposing to increase its transfer to the fund by \$1 million, or \$7.5 million annually, for 2026 and 2027. The increase reflects planned purchasing and will better allow the division to absorb impacts from tariffs, which are expected to increase equipment costs substantially. The transfer is projected to increase incrementally in 2028 to \$9 million, and to escalate further in the outyears.

²¹ *New York Times*, March 25, 2025. "Consumer Confidence is Tumbling as Financial Concerns Mount"

Environmental Permits in SWD

Annual reporting requirements

2024 data



Environmental: The regulatory requirements for waste disposal and landfill management are complex and continuously evolving. SWD has 37 operating permits and works closely with multiple regulatory bodies to ensure its compliance. In recent years, the frequency and intensity for testing, monitoring, and reporting requirements have increased, resulting in increased workload for staff. The division has made efforts to increase its capacity, including replacing term-limited positions with full-time employees, and will continue to do so as requirements warrant. Recently, the Washington State Department of Ecology issued regulations to improve control of methane emissions from landfills. In response to increased sampling requirements, SWD has hired two new landfill gas utility operators, and a new Engineer III position will be filled later this year to oversee the reporting and compliance work associated with the new regulations.

Capital Projects: The department continues to invest in major projects from the Comp Plan. These include the SCRTS, which is currently under construction; the NERTS, which will be built on the existing Houghton Transfer Station site; maximizing

the life and capacity of the CHRLF; and upgrading the landfill gas capture system there. The new transfer stations will expand access to recycling and hazardous waste services, reduce wait times, increase safety, and reduce or eliminate many of the environmental impacts of the older stations they are replacing. The long-term rate path assumes the investment will be needed in new sorting and processing technology, such as mixed waste processing and potential co-digestion that will be needed to reach Re+ goals.

The potential economic impact of the division's projected capital spending for 2025 and 2026 is estimated to be over 2,000 new jobs, according to the Washington State Office of Financial Management's Input-Output Model.²²

Equity and Social Justice (ESJ): The department is currently developing a new low-income discount program for curbside solid waste services in areas of the county regulated by the Washington Utilities and Transportation Commission (UTC).²³ SWD will assess household eligibility and work with haulers to

²² This figure was calculated using Washington State Office of Financial Management's [Input-Output Model](#).

²³ In accordance with state law [RCW 81.77.020](#) and [RCW 36.58.040](#), counties are prohibited from providing curbside garbage collection services. Legal authority for regulating collection is shared primarily between the state, acting through the UTC, and the cities. The UTC sets and adjusts rates and requires compliance with the state and local solid waste management plans and related ordinances.

ensure discounts are applied to eligible residents, as mandated by state law.²⁴ This requires close collaboration with the hauling partners and the UTC to adjust rates as needed without significantly impacting overall rates.

Operating Expenditure Increases: The division is planning no increases in existing operating expenses beyond inflation. Minimal growth in operating expenses will help mitigate the upward pressure from capital growth.

Reserves

The department has three reserve funds. The Rainy Day fund is required by County policy and is intended to cover unexpected expenses. The Recession Reserve was established by SWD to mitigate revenue losses from reduced tonnage. The Rate Stabilization Reserve is used to mitigate future rate increases caused by spikes in forecasted spending, such as those from large capital projects.

Rainy Day Reserve: The Rainy-Day Fund level is equivalent to 30 days of operating expenses. In 2025, the division intends to draw down the reserve by \$5 million for the legal settlement of claims with BEW. The division expects to replenish this reserve by the end of 2026.

Recession Reserve: The Recession Reserve is meant to provide a buffer to rate payers in the event of a recession. This reserve is typically equivalent to 5 percent of annual disposal revenue and is intended to be drawn down over the course of two years. After a period of recovery, the department gradually replenishes the reserve. With the onset of a recession in 2020, the department fully drew down the reserve and subsequently fully replenished it to 5 percent of annual disposal revenues at the end of 2024. In 2025, SWD is projecting that the reserve will be \$5.5 million, below the 5 percent threshold. The division has downgraded its expected revenue forecast for the year, anticipating diminished economic activity as tariff impacts become more widely felt. Currently, the division is expecting to fully replenish the reserve by the end of the 2026 and 2027 biennium, resulting in approximately \$8 million in reserve to mitigate against future recessionary impacts.

Rate Stabilization Reserve: The department has been slowly drawing down the Rate Stabilization Reserve over the past five years in order to mitigate rate increases. It is expected that this reserve will be fully exhausted in 2025 and 2026. The reserve will begin to replenish starting in 2027, and outyear projections show the balance should increase to over \$10 million by 2031.

²⁴ [RCW 81.77.195](#)

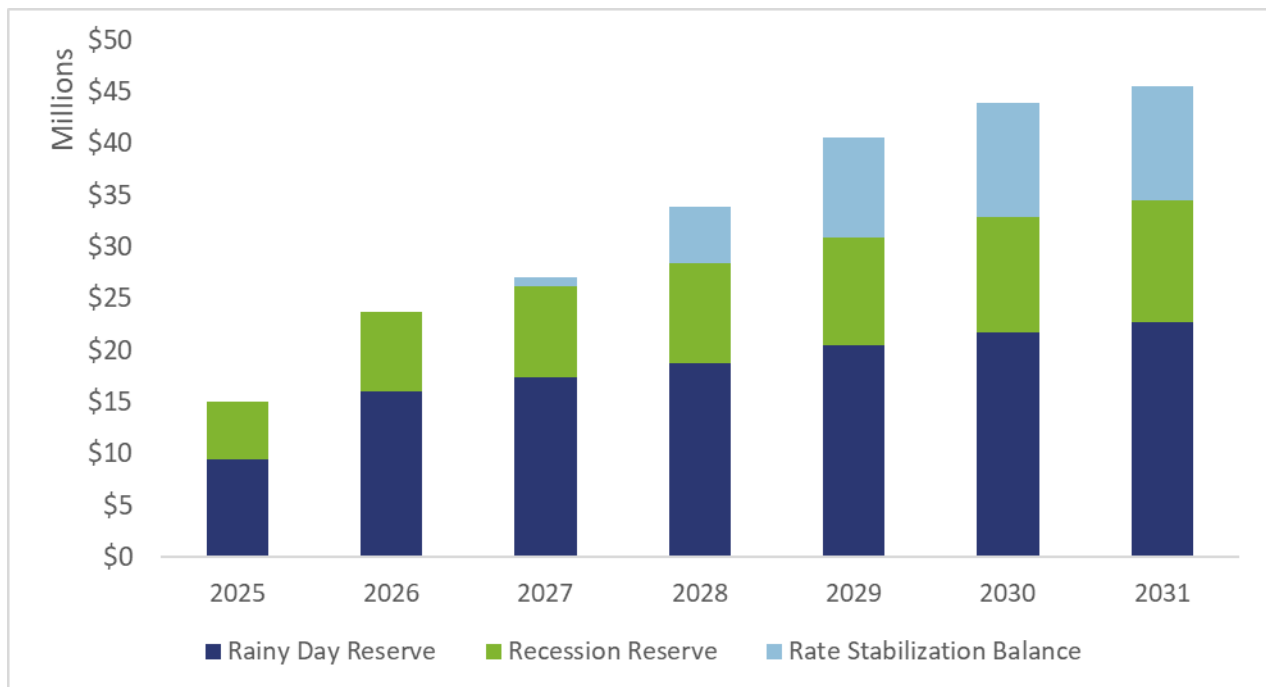


Figure 7: Solid Waste Operating Fund Balance, 2025-2031

Revenues

Disposal Fee Revenue: DNRP is proposing an increase in its tonnage-based fees for garbage and the FAC. Historically, the department had proposed rate increases on a biennial basis, but DNRP has been proposing annual increases over the past several years. Smaller, more frequent increases are preferred by cities to minimize the burden on rate payers and create a smoother, more predictable situation for customers.

The description and revenue projections for each fee are summarized as follows:

- **Commercial Fee:** The Commercial Fee is the per-ton fee charged to commercial hauler customers disposing of MSW at transfer facilities and to curbside collection vehicles at the CHRLF. The department is proposing to change this fee from \$165.91 to \$179.18 in 2026.
- **Fixed-Annual Charge:** This was a new charge implemented in January 2024. The department proposes increasing the FAC from \$23,337,835 to \$26,838,510 in 2026.

NOTE: The Commercial Fee and the FAC are both disposal charges. Together, they are projected to increase revenues in the 2026 budget by approximately \$11 million above what they would be if there were no rate increases.

- **Self-haul Fee:** The self-haul fee is a per-ton fee charged to individual customers disposing of MSW at transfer facilities. All loads greater than 320 pounds pay the per-ton fee, and customers with less than 320 pounds of waste are charged the minimum fee. The department is proposing to raise the self-haul fee from \$203.81 per ton in 2025 to \$229.29 per ton in 2026. This increase is expected to bring in \$4 million more in revenues in 2026.

- **Regional Direct Fee:** This is a discounted fee charged to contract commercial collection companies that haul solid waste to the CHRLF in transfer trailers from their own transfer stations and processing facilities, thus bypassing County transfer stations. Regional Direct tonnage is typically composed of nonrecyclable material removed from recyclables during processing. Regional direct fees are typically set at 85 percent of the self-haul fee and, accordingly, this fee is increasing from \$163.05 per ton in 2025 to \$194.89 per ton in 2026.
- **Special Waste:** This fee is charged for certain materials that require special handling, record keeping, or both, such as asbestos-containing materials and contaminated soil. The fee is typically set at 120 percent of the self-haul rate, and thus would increase from \$244.57 per ton in 2025 to \$275.14 per ton in 2026.
- **Yard/Wood Waste Fee:** This fee is for separated yard waste and clean wood delivered to facilities that have separate collection areas for these materials. To keep pace with increasing costs, under this proposal the fee would increase from \$115.00 in 2025 to \$129.38 in 2026. If approved, these increases are expected to generate approximately \$250,000 in additional revenue over the next biennium.
- **Construction and Demolition Fee:** This fee is collected at designated C&D collection facilities on each ton of C&D waste that is sent to the landfill and then remitted to the County. It does not apply to C&D waste that is recycled. The fee was set at \$13 per ton in 2025 and the fee will remain unchanged for 2026.

Other Revenues: DNRP collects revenues in other ways not related to disposal.

- **Rental Income:** The department generates additional income through rental income at Harbor Island and other leases for the use of small spaces for cell phone towers and the like.
- **HHW Reimbursement:** DNRP receives reimbursement income from the Hazardous Waste Management Program in exchange for providing household hazardous waste collection services.
- **Seattle Residual Payments:** In 2024, the County and Seattle Public Utilities (SPU) signed an ILA regarding Regional Direct tons attributable to the King County Solid Waste Service Area that are sorted at material recovery facilities located in Seattle. These tons originate as garbage incorrectly placed in recycling bins (alongside good recyclable material) collected within the King County system, before being sorted out from the recyclable materials at facilities within Seattle city limits. The agreement between DNRP and SPU states that the disputed tons will stay within the SPU disposal system, but SPU will pay DNRP a portion of the disposal fee revenue they collect on this material. The department estimates that the County will receive about \$600,000 in revenue for these tons.
- **Sale of Landfill Natural Gas:** Previously, landfill gas was captured at CHRLF and converted to pipeline-quality natural gas by BEW. It was then sold to Puget Sound Energy, and the revenue shared between BEW and the department. As discussed above, those revenues essentially ceased in 2023, as BEW suspended operations. In March 2025, the County reached a settlement agreement with BEW that would include acquisition of the plant by the County. The County is expected to complete the sale by August 29, 2025, and the department plans to contract with a third party to oversee operations. The exact timeline for resumption of regular operations is not known at this time, but for financial planning purposes, the division is assuming no revenue generation in 2025. In the 2026-2027 biennium, the department expects to net \$5 million in revenue to rate payers, including debt service, operating expenses, and settlement costs.

The most recent total revenue projected in the rate model for 2026 is \$233.3 million. Revenue from disposal fees is projected to be \$162.8 million. The FAC is set at \$26.8 million, and an additional \$43.1 million is projected from other revenue sources.

D. Rate Determination

Each budget period, DNRP needs to raise revenue equal to its projected expenditures and required reserves. The amount of revenue required can be buffered by the existing balance in the Rate Stabilization Reserve but, at the end of each budget cycle, the department must have enough cash on hand to fund its required reserves.

The County's solid waste system is in the early stages of redefining how solid waste is managed. The 2019 Comp Plan and the 2020 SCAP guide this transformation. The NERTS and SCRTS projects will replace aging infrastructure and expand access to recycling. Investments in Re+ will reduce the County's carbon footprint, including new technologies that will reduce waste and expand processing capacity of recyclable materials, as well as investments in capturing landfill gas through the building of new capture wells. So, too, will construction projects at County-managed closed landfills and the building of electric charging infrastructure in preparation for the electrification of the department's fleet of vehicles. Re+ activities and the Area 9 project will expand the life of the landfill and provide time for the County to decide on and implement a long-term disposal alternative to be implemented once the landfill closes.

Completing these projects will be a key part of the County's effort to combat climate change and reduce waste, but success requires sustained funding. The department's capital spending plan is estimated to need \$865 million in funding between 2025 and 2031, leading to a significant increase in debt service.

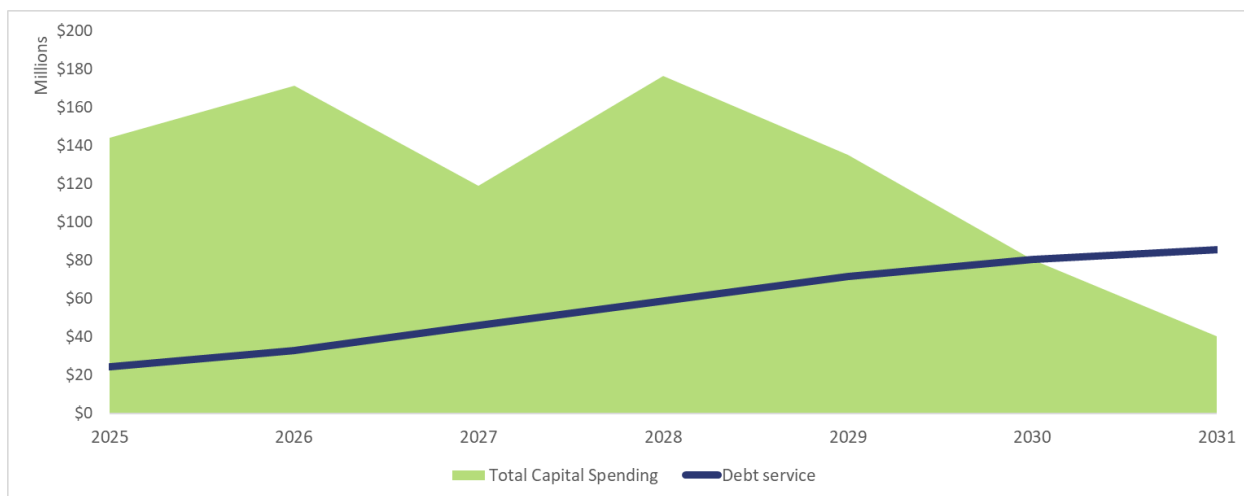


Figure 88: Projected Capital Spending and Debt Service, 2025-2031

Figure 8 shows the projected capital investment across the solid waste system over the next five years and the corresponding increase in projected debt service costs.

Ultimately, the department has sought to balance economic uncertainty in the short term with the long-term financial health of the department and the environmental health of the region. DNRP believes that its current proposal strikes a solid balance between these important goals while ensuring continued progress on regional commitments to system partners.

VI. Conclusion/Next Steps

DNRP is in a period of significant capital investment that will last several biennia and reorient the outlook from a waste management perspective to a materials management leadership perspective. This proposed rate increase would support DNRP making an investment in critical infrastructure projects between now and 2031. Investments in infrastructure like the SCRTS, extending the life of the landfill, and improving the efficiency of landfill gas capture, to name a few, will yield long-term financial benefits for rate payers, boost the local economy, and reduce the impact of waste on the environment.

Spending has been prioritized to focus on maintaining delivery of essential services and delivering on the commitments made in the Comp Plan and the SCAP. Re+ could create hundreds of new green jobs while the spending on the major capital projects in the Comp Plan (transfer stations and maximization of the landfill) is expected to create about 2,000 new jobs, according to the Washington State Office of Financial Management's Input-Output Model.

The focus on the revenue side has been one of mitigating the impact of increased pace of capital spending. The economic turbulence caused by inflation and higher borrowing costs is impacting the cost of operations and capital spending, as well as resulting in a lower tonnage forecast than expected. During this rate-setting process, the department has been sensitive to the needs of its customers and other partners and worked to reduce the need for rate increases. Despite increased cost pressure in King County's capital program and reduced tonnage due largely to high interest rates, DNRP has been able to maintain a rate increase proposal consistent with projections from the last two rate cycles – all while preserving essential services and providing investments needed to reach the County's strategic goals and commitments.

VII. Appendices

Appendix A–Curbside Impact Calculation

Appendix B–Rate Methodology

Appendix C–Tonnage Forecast Through 2031

Appendix D–Summary of Rate Model Through 2031

Appendix A—Curbside Impact Calculation

Solid waste customers and jurisdictions have historically asked for and come to expect a measurement of the impact a rate increase proposal would have on residents' waste collection bills, referred to as "curbside impact." To fill this need, the Department of Natural Resources and Parks (DNRP) created a curbside impact measure that generates an average monthly curbside impact for all residents in the county's service area, based on amount of garbage generated by a typical household. It will not match the actual curbside impact in any given city because all cities have different starting rates and distribute the disposal costs across their customer bases differently. However, it should be accurate in the aggregate across the entire Solid Waste Division (SWD) service area. In addition, SWD has gathered rate data and modeled the impact in different jurisdictions for the most common can size, the 32/35-gallon cart. This provides more context for the potential variability of impacts across the service areas.

Fixed Annual Charge	\$26,838,510
Forecast for Commercial Tons	630,734
FAC/Forecasted Tons	\$42.55
Commercial Tipping Fee	\$179.18
Estimated CCR	\$221.73

Table 1: Calculation of Compound Commercial Rate

Currently, most city/hauler contracts split the rates they charge their customers into two parts: the service and disposal components. The service component reflects the cost of collection, while the disposal component represents disposal charges paid to SWD for the disposal of waste transported to the County's landfill. Historically, city contracts adjusted the disposal component by the rate of increase in the County's tipping fees. With the implementation of the rate restructure, cities and haulers had to adjust the contract terms to account for changes in both the tipping fee and the allocation of the fixed annual charge (FAC). Most cities and haulers elected to use a compound commercial rate (CCR), which blended the tipping fee and FAC into a single rate, which could be used to adjust the garbage component.

The estimated CCR in the previous rate cycle was \$202.72, so the rate of increase in 2026 rate would be 9.4 percent. Inclusive of all can sizes, a typical household in King County is estimated to generate about 102 pounds of garbage per month. Using the CCR, and based on the average garbage generation by weight, the estimated monthly impact of the 2026 rate increase would be \$0.97.

The curbside impact to customers varies considerably between cart sizes and collection contract/ Washington Utilities and Transportation Commission (UTC)-service areas. To model the potential impact, the division gathered rate data across the service area for the most common residential can size, the 32/35-gallon cart. The amount attributable to the disposal portion of the monthly service cost was not available for all contracts and the UTC areas. The division compiled the most recent available contract data and found that, on average, 26 percent of the cost was attributable to the disposal fee. This factor was then used across the monthly service cost to estimate the monthly increase. On

average, a 32/35-gallon customer would be expected to see a \$0.71 increase per month due to the proposed 2026 rate increase.

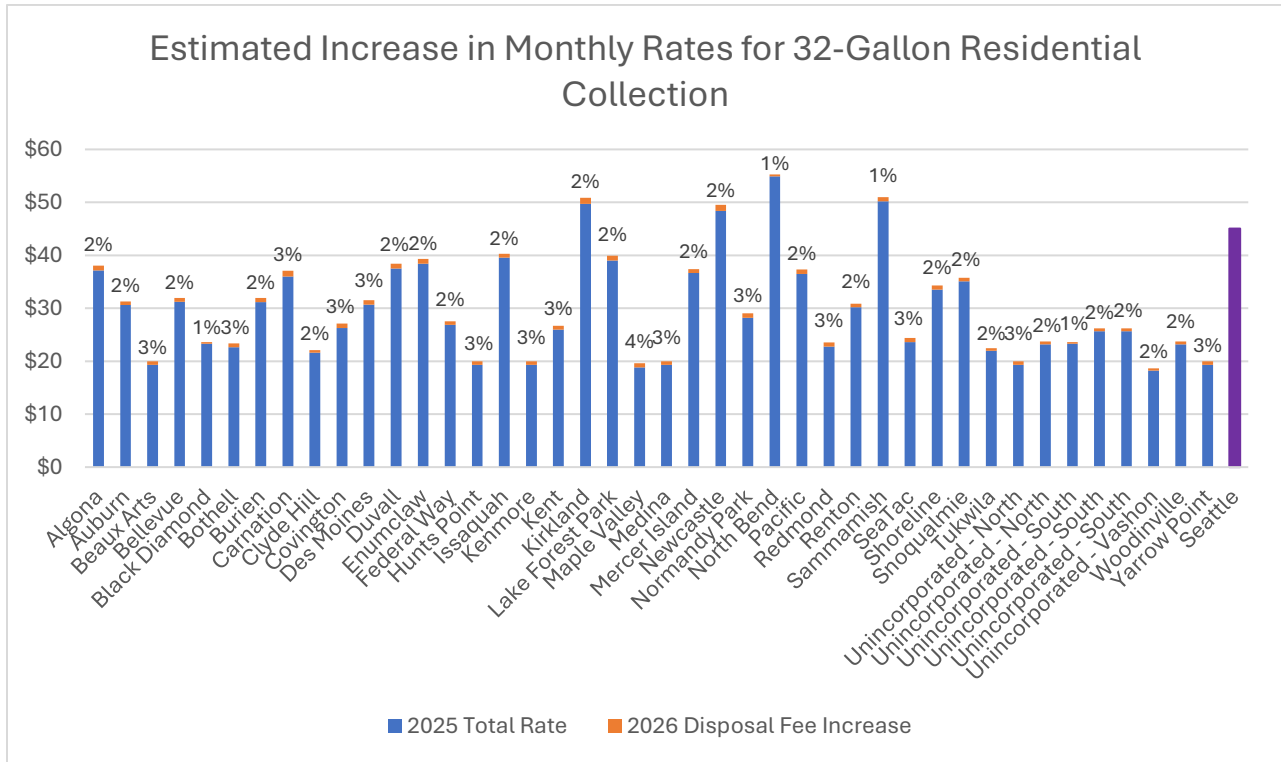


Figure 1: Comparison of the Impact of the Proposed Rate Increase on Monthly Solid Waste Service Fees

City	2025 Estimated Monthly Cost	2025 Estimated Disposal Component	2026 Estimated Monthly Increase	Estimation Method
Algona	\$37.17	\$9.03	\$0.86	3
Auburn	\$30.59	\$7.43	\$0.71	3
Beaux Arts	\$19.31	\$7.03	\$0.67	5
Bellevue	\$31.25	\$7.58	\$0.72	1
Black Diamond	\$23.28	\$3.17	\$0.30	5
Bothell	\$22.64	\$5.92	\$0.70	2
Burien	\$31.14	\$6.52	\$0.79	2
Carnation	\$35.97	\$8.74	\$1.09	3
Clyde Hill	\$21.59	\$5.24	\$0.50	3
Covington	\$26.27	\$8.69	\$0.83	4
Des Moines	\$30.66	\$6.98	\$0.88	2
Duvall	\$37.53	\$9.12	\$0.87	3
Enumclaw	\$38.40	\$9.33	\$0.89	3
Federal Way	\$26.90	\$6.53	\$0.62	3
Hunts Point	\$19.31	\$7.03	\$0.67	5

Issaquah	\$39.55	\$7.33	\$0.73	2
Kenmore	\$19.31	\$7.03	\$0.67	5
Kent	\$25.94	\$8.02	\$0.76	2
Kirkland	\$49.70	\$12.07	\$1.15	3
Lake Forest Park	\$39.02	\$9.48	\$0.90	3
Maple Valley	\$18.86	\$5.77	\$0.78	2
Medina	\$19.31	\$7.03	\$0.67	5
Mercer Island	\$36.64	\$6.16	\$0.73	2
Newcastle	\$48.41	\$11.76	\$1.12	3
Normandy Park	\$28.18	\$8.83	\$0.84	2
North Bend	\$54.89	\$8.50	\$0.39	2
Pacific	\$36.50	\$8.87	\$0.84	3
Redmond	\$22.76	\$8.47	\$0.81	4
Renton	\$30.19	\$6.72	\$0.64	4
Sammamish	\$50.21	\$8.26	\$0.79	1
SeaTac	\$23.63	\$5.74	\$0.78	3
Shoreline	\$33.52	\$6.27	\$0.79	2
Snoqualmie	\$35.07	\$6.98	\$0.66	2
Tukwila	\$21.97	\$6.34	\$0.49	2
UKC - North (Republic of Bellevue)	\$19.31	\$7.03	\$0.67	5
UKC - North (WM - Northwest)	\$23.18	\$5.63	\$0.53	5
UKC - South (Republic of Kent)	\$23.28	\$3.17	\$0.30	5
UKC - South (WM - Seattle)	\$25.64	\$6.23	\$0.59	5
UKC - South (WM - South Sound)	\$25.64	\$6.23	\$0.59	5
UKC - Vashon	\$18.24	\$4.43	\$0.42	5
Woodinville	\$23.18	\$5.63	\$0.53	5
Yarrow Point	\$19.31	\$7.03	\$0.67	5
Seattle	\$45.05	-	-	6

Figure 2: 32/35 Gallon Service Rates and Proposed Rate Impact

Estimation Method	
City disposal percentage is based on the current year rate sheet.	1
City disposal percentage is based on the most recent past year rate sheet disposal component out of total rate. This percentage is then applied to published current year rates to calculate the current disposal component.	2
City disposal percentage is based on the average disposal percentage across all current year and recent past year, for available City and UTC rate sheets. This percentage is then applied to published current year rates to calculate the current disposal component.	3

City disposal percentage is based on most recent past year rate model. This percentage is then applied to published current year rates to calculate the current disposal component.	4
Unincorporated King County (UKC) disposal percentage is estimated as the hauler cost of disposal out of total hauler costs as outlined in Rate Case Sheets. Defaults to average disposal percentage when recent estimated costs are unavailable. This percentage is then applied to published current year rates to calculate the current disposal component.	5
Provided for comparison.	6

Figure 2 Key: City Disposal Rate Estimation Method

Appendix B—Rate Methodology

The solid waste rate model seeks to balance expenditures and reserve requirements with anticipated revenues. The ending fund balance can be carried over from prior years to smooth out demands on revenues from one biennium to the next.¹ Descriptions of each of the major components of the rate model are provided below.

Expenditures

Expenditure—funds the Solid Waste Division (SWD) spends to provide public services—are divided into two major categories: operating and capital expenditures. Within operating expenditures, the solid waste rate model distinguishes between expenditures for existing work and those for new work that expands or augments existing operations.

Operating Expenses

Existing Work – Projected spending levels for existing operations are calculated by reviewing the current biennial budget, actual spending levels for the biennium, and the pro forma budget for 2026.² Differences between the existing budget, pro forma budget, and actual spending levels are reconciled to create the projected expenditure for the upcoming biennium. For example, some expenditure levels are directly related to tonnage or revenue projections. For those items, expenditures are calculated based on the tonnage forecast and/or revenue projections. The business and occupation tax the division must pay is, for example, based on the projected revenue in the coming budget period, which is not provided as part of the pro forma budget, while the transfer to public health and the landfill reserve fund are both projected based on tonnage.

New Programs or Expansion of Existing Work – As part of the rate development process, SWD identifies the need for new or additional services across each section of the division. Once new programs or bodies of work to meet County goals are identified, they are evaluated and prioritized based on whether they meet a regulatory mandate, their cost, and environmental and social justice impacts.

Operational Efficiencies – King County and DNRP are committed to financial stewardship. Employees are empowered to find ways to operate more efficiently and save money for rate payers. The department continually looks for operational efficiencies and evaluates options for expenditure reduction as part of its biennial budget and rate-setting process.

Capital Expenditures, Landfill Reserve Fund, and Debt Service

Solid waste capital projects and post-closure obligations at the landfill are funded through direct cash transfers to capital funds or by using bond funding to raise revenue. DNRP has three capital funds, the

¹ A fund is a financial accounting unit used to control and monitor the planned use of resources, usually with a specific scope and often in compliance with legal and administrative requirements. Ending fund balance, or fund balance, refers to the amount of money left in a fund at the end of an operating period. In this document, it refers to a calendar year or biennium.

² A pro forma budget is a baseline budget projection provided by the County's Office of Performance, Strategy, and Budget (PSB). The pro forma provides a common starting point between PSB and other County departments as they begin to develop their biennial budget proposals.

solid waste capital improvement fund (CIP), the solid waste capital equipment replacement program fund (CERP), and the landfill reserve fund (LRF).

Construction Fund Transfer

Typically, \$4 million per biennium is transferred from the operating fund to the construction fund to pay for small capital projects when bond financing is not the appropriate funding instrument. The transfer amount is evaluated by DNRP during each rate-setting process.

CERP Fund Transfer

DNRP develops an annual spending plan, the CERP, to address solid waste equipment replacement needs over the rate-setting period and the two subsequent biennia. The transfer rate is calculated to provide the necessary funding for the planned spending above the required reserve amount.

LRF Transfer

The LRF transfer amount is calculated on a per-ton basis. Key variables include the tonnage forecast, the estimated date that Cedar Hills Regional Landfill (CHRLF) reaches capacity, and the projected cost for post-closure activities. Traditionally, new landfill development and closure projects were cash-funded from the LRF. Given the desire to keep rates low and the projected cost of planned development of Area 9, it became apparent that debt-financing these projects (instead of cash financing them) would provide significant relief to rate payers.³ King County Code 4A.200.390, which governs the LRF, was updated in 2020 to explicitly allow bond proceeds to fund these projects.

Debt Service

DNRP, in consultation with the Office of Performance, Strategy, and Budget (PSB), annually reviews its CIP to update planned spending on existing projects and decide what other projects are needed. The cash flows are then multiplied by an accomplishment rate (typically between 75 and 85 percent), and these amounts are used to project the needed bond issuances to estimate the cost of debt service over the next six years.⁴ The projected amount of new debt service is added to the scheduled debt service to arrive at an estimated expenditure in the rate model.

Reserve Requirements

DNRP has three financial reserves: the Rainy Day Reserve, the Recession Reserve, and the Rate Stabilization Reserve.

Rainy Day Reserve

³ While cash funding projects is less expensive overall due to no interest cost, debt financing spreads those costs over time, so the rate does not have to increase sharply for a few years to cash fund expensive projects like transfer stations or new landfill cells. By employing bond financing in place of cash financing (where permitted), rates are kept lower in the near term.

⁴ The capital accomplishment rate is how much of the forecasted project cost was spent in a given year. For example, if one forecasts spending \$100 million in a year but only spends \$85 million, the accomplishment rate for that project for that year is 85 percent. Assuming an accomplishment rate below 100 percent means the rate model will forecast that less debt will need to be issued (in this example, 15 percent less), the resulting debt service payments—and, by extension, the rate—will be lower.

King County Comprehensive Financial Management Policies require that operating funds include a Rainy Day Reserve sufficient to cover operating expenditures for up to 60 days but no less than 30 days.⁵ The department has set this reserve amount equal to 30 days of operating expenditures.

Recession Reserve

In case of a recession, this reserve provides a buffer for the rate to protect the rate payers from the financial impacts of falling tonnage so that customers are not faced with major rate increases during a recession. It is set at 5 percent of annual disposal revenue. In years with a recession, this fund is intended to be drawn down by no more than 50 percent per year. After the recession has ended, the fund is gradually refilled over a five-year period.⁶

Rate Stabilization Reserve

The Rate Stabilization Reserve allows for ending fund balances to be carried over between budget periods, which, when utilized, can help smooth revenue demands over time. This creates a more predictable path for rate payers. For example, when a department spends less than it collects in a given year, it can carry that savings over into future years through the Rate Stabilization Reserve. This reserve can be used to cover costs in future years and reduce the impact of cost increases in future years, helping to keep rates from spiking from one year to the next.

Revenues

Since 2024, about 90 percent of the solid waste program's revenue has come from a combination of disposal fees and the proposed fixed annual charge (FAC). Other sources of revenue include the sale of gas gathered at the CHRLF; rental income from real property owned by the department; a fee from construction and demolition waste collected at third-party recycling facilities; and the commodity value of recyclables collected at the stations.⁷ DNRP also receives reimbursement income from the Hazardous Waste Management Program in exchange for providing household hazardous waste collection services. Miscellaneous sources of revenue include various grants, interest earnings, and other small-dollar sources.

Disposal and Recycling Fees

Disposal and recycling fees are collected on a per-ton and per-item basis, depending on the material. The projected revenues for these sources are calculated using the tonnage forecast. The rate model is used to determine the revenue requirement and fee schedule needed to balance the expenditure and reserve requirements once all other revenue sources are incorporated into the model.

Per-Ton Fees

- **Commercial Fee.** The per-ton fee charged to customers disposing of municipal solid waste at transfer facilities and to curbside collection vehicles at the CHRLF. Until 2024, the basic fee was charged to both commercial and self-haul customers. However, since the 2024 implementation of the rate restructure and its FAC, the basic fee was split into the commercial tipping fee and

⁵ [Financial Management Policies](#)

⁶ Per [King County Comprehensive Management Policies](#)

⁷ DNRP is not currently receiving landfill gas revenue because the plant that converts it to pipeline-quality natural gas, Bio Energy Washington (BEW), ceased operating in 2023. In March 2025, the County reached a settlement agreement with BEW that would include acquisition of the plant by the County. As a result, the rate model for this proposal does not assume landfill gas revenues in 2025.

the self-haul fee. The commercial fee dropped in 2024 (relative to the 2023 basic fee) to offset the revenue that now accrues from the new FAC.

- **Fixed Annual Charge.** Beginning in 2024, the fee charged to each of the primary curbside collection haulers based on the share of total tons brought in from each of their service areas. The FAC is based on the share of the cost of non-disposal activities allocated to the commercial solid waste hauler customer class.
- **Self-Haul Fee.** The per-ton fee charged to customers disposing of municipal solid waste at transfer facilities. The minimum fee that a customer would pay is equivalent to 320 pounds. Until 2024, the basic fee was charged to both commercial and self-haul customers. However, in 2024, upon the implementation of the rate restructure and its FAC, the basic fee was split into the commercial tipping fee and the self-haul fee. Since the FAC is not collected from self-haul customers, the self-haul tipping fee is higher than the commercial tipping fee.
- **Regional Direct Fee.** A discounted fee charged to commercial collection companies that haul solid waste to Cedar Hills in transfer trailers from their own transfer stations and processing facilities, thus bypassing County transfer stations. This fee is set at 85 percent of the self-haul rate.⁸
- **Special Waste Fee.** The fee charged for certain materials that require special handling, record keeping, or both, such as asbestos-containing materials and contaminated soil. This fee is set at 120 percent of the self-haul rate.
- **Yard Waste and Clean Wood Waste.** A fee for separated yard waste and clean wood delivered to facilities that have separate collection areas for these materials.

Per-Item Fees

- **CFC Appliances.** Appliances with CFCs, such as refrigerators, are charged on a per-item basis.
- **Mattresses.** Mattresses, box springs, and other mattress like items are charged on a per-item basis.
- **Unsecured Loads.** Customers that arrive at our stations with unsecured loads are charged a \$25 fee.

Cleanup LIFT

For self-haul customers, the County offers a discount for low-income individuals on their transactions if they can provide an Orca LIFT, Electronic Benefits Transfer card (often referred to as an EBT card), or Medicaid card.

Other Revenue

Sale of Landfill Natural Gas

Methane, which is a natural byproduct of the decomposition of waste, is captured at CHRLF and converted to pipeline-quality natural gas at the renewable natural gas (RNG) facility located at the

⁸ The new rate restructure for commercial revenues creates a challenge when comparing pre-restructure rates to the new format. To do so, the restructured commercial fee and the FAC can be combined to create a rate value called the composite commercial rate (CCR), which can then be compared directly with the pre-restructure basic fee. The CCR is used solely to facilitate equal comparisons between pre-restructure rates with rates under the new structure; it is not for billing customers.

landfill. The processed gas has value as both a commodity that can displace the use of conventional fossil fuels and an environmental attribute, which monetizes the environmental benefits of the gas. Energy markets are relatively volatile and disputes between the division and landfill gas producer have introduced additional uncertainty. However, the County and the producer have recently reached a settlement agreement that includes potential acquisition of the plant by King County, which will result in resumed production and sale of the gas and its environmental attributes.

Rental Income

DNRP receives revenue from a variety of rental properties. The rent from the schedule for each lease is modelled and properties that are near the end of their lease terms are re-evaluated for income potential.

Construction and Demolition Fee

DNRP collects a small fee from each ton of construction and demolition waste collected at third-party sorting and reclamation facilities. This revenue funds the cost of administering the construction and demolition recycling program.

Moderate-Risk Waste Reimbursement Expense

DNRP receives reimbursement income from the Hazardous Waste Management Program in exchange for providing household hazardous waste collection services.

Recyclable Materials Proceeds

Recycling collected at the transfer stations is sent to materials processing facilities, and DNRP pays for hauling costs and processing. The department then receives the commodity value of the processed material as revenue. After China implemented a policy that effectively banned the importation of recyclable materials, values for many common materials fell precipitously. Thus, the proceeds from the sale of recyclable material are projected to be a declining revenue source for the department.

Appendix C—Tonnage Forecast Through 2031

The rate proposal was developed using a forecast of the amount of waste that will be disposed of at department facilities during the rate period. The forecast relies on established statistical relationships between waste being disposed and some economic and demographic variables that affect it, namely population, employment, and consumption.¹

Year	Type	Transfer Station Tons	Other Waste	Regional Direct	Special Waste	Yard Waste
2017	Actual	895,672	19,898	12,161	3,446	21,966
2018	Actual	849,506	18,336	17,039	3,632	19,150
2019	Actual	840,878	17,422	7,542	2,690	22,739
2020	Actual	813,703	21,390	32,553	1,504	23,583
2021	Actual	827,211	22,792	24,736	2,130	24,838
2022	Actual	821,860	25,578	15,730	1,988	23,588
2023	Actual	798,765	30,521	3,741	2,206	17,780
2024	Actual	797,128	29,718	10,81	1,950	19,016
2025	Forecast	797,950	30,000	11,000	2,000	18,400
2026	Forecast	793,755	30,000	11,000	2,000	18,400
2027	Forecast	785,910	30,000	11,000	2,000	18,400
2028	Forecast	784,810	30,000	11,000	2,000	18,400
2029	Forecast	781,895	30,000	11,000	2,000	18,400
2030	Forecast	763,463	30,000	11,000	2,000	18,400
2031	Forecast	732,949	30,000	11,000	2,000	18,400

¹ Consumption measured in dollars spent for retail sales, excluding automobiles.

Appendix D – Summary of Rate Model Through 2031¹

	Projected	Proposed	Estimated				
Fund Account Summary	2025	2026	2027	2028	2029	2030	2031
Commercial Tipping Fee	\$165.91	\$179.18	\$194.41	\$209.97	\$226.76	\$244.90	\$264.50
Percent change		8.0%	8.5%	8.0%	8.0%	8.0%	8.0%
Fixed-Annual Charge (in millions)	\$23,337,835	\$26,838,510	\$30,864,287	\$35,493,930	\$40,668,623	\$43,061,868	\$45,091,910
Self-Haul Fee	\$203.81	\$229.29	\$257.95	\$288.90	\$323.57	\$362.40	\$405.88
Percent Change		12.5%	12.5%	12.0%	12.0%	12.0%	12.0%
REVENUES							
Disposal Revenue	\$147,499,867	\$162,719,702	\$176,865,878	\$192,905,689	\$210,010,769	\$224,534,286	\$236,492,313
FAC Revenue	\$23,337,835	\$26,838,510	\$30,864,287	\$35,493,930	\$40,668,623	\$43,061,868	\$45,091,910
RNG Processing Revenues		\$28,537,339	\$25,268,247	\$26,185,383	\$26,529,889	\$23,941,123	\$22,452,370
Non-Disposal Revenue	\$11,811,227	\$14,577,565	\$12,492,116	\$12,026,554	\$12,326,073	\$12,633,808	\$12,952,644
Total Revenues	\$182,648,929	\$232,673,117	\$245,490,528	\$266,611,556	\$289,535,354	\$304,171,084	\$316,989,237
EXPENDITURES							
SWD Operating Expenditures	\$148,545,509	\$149,495,396	\$152,810,418	\$157,057,627	\$163,948,161	\$165,452,573	\$171,899,304
RNG Processing Facility Expenses	\$6,902,446	\$18,489,479	\$18,974,790	\$19,190,033	\$19,410,656	\$19,636,795	\$19,868,588
Landfill Reserve Fund Transfer	\$13,886,900	\$16,140,656	\$17,512,612	\$19,001,184	\$20,616,285	\$22,368,669	\$24,270,006
Capital Equipment Recovery Program	\$6,500,000	\$7,500,000	\$7,500,000	\$9,000,000	\$10,500,000	\$11,025,000	\$11,576,250
Construction Fund	\$2,000,000	\$4,500,000	\$4,500,000	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Debt Service	\$25,594,004	\$32,826,152	\$45,890,448	\$58,573,666	\$71,387,033	\$80,231,690	\$85,399,622
Total Expenditures	\$203,428,859	\$228,951,684	\$247,188,268	\$264,822,510	\$287,862,136	\$300,714,727	\$315,013,770
RESERVES							
Rainy Day	\$9,482,581	\$16,004,321	\$17,390,455	\$18,799,688	\$20,437,320	\$21,717,474	\$22,724,032
Recession Reserve	\$5,548,863	\$7,748,556	\$8,843,294	\$9,645,284	\$10,500,538	\$11,226,714	\$11,824,616
Rate Stabilization Reserve	\$0	\$0	\$821,388	\$5,399,211	\$9,579,543	\$11,029,570	\$11,000,577
Total Reserves	\$15,031,445	\$23,752,877	\$27,055,137	\$33,844,183	\$40,517,401	\$43,973,758	\$45,549,225



King County

Metropolitan King County Council Budget and Fiscal Management Committee

REVISED STAFF REPORT

Agenda Item:	6	Name:	Terra Rose
Proposed No.:	2025-0182	Date:	August 27, 2025

COMMITTEE ACTION

Proposed Substitute Ordinance 2025-0182.2, which would increase County disposal fees for solid waste, clean wood and yard waste, and special waste; the fixed annual charge; and the low-income discount, effective January 1, 2026, passed out of committee on August 27, 2025, with a “Do Pass” recommendation. The Proposed Ordinance was amended in committee with Amendment 1 and Title Amendment T1, which made technical corrections to the legislation and title.

SUBJECT

Proposed Ordinance 2025-0182 would increase County disposal fees for solid waste, clean wood and yard waste, and special waste; the fixed-annual charge; and the low-income discount, effective January 1, 2026.

SUMMARY

The County’s regional solid waste system is supported by a variety of fees that are approved by the Council and that vary based on the type of material being collected (e.g., garbage/solid waste, yard waste), the type of customer vehicle (e.g., certain vehicles pay a flat fee versus a per-ton fee), and the facility receiving the material (e.g., facilities with/without scales). The current fees were approved in 2024 and went into effect on January 1, 2025.¹

In 2022, the Council approved Ordinance 19413, which restructured how the Solid Waste Division (SWD) collected revenue from solid waste collection entities,² which largely refers to commercial haulers serving cities and the unincorporated areas under contract or certificate. Under the restructure, solid waste collection entities pay a reduced per-ton fee relative to self-haul per-ton customers for solid waste disposed at

¹ Ordinance 19805

² “Solid waste collection entities” include certificated haulers operating under UTC certificates, any city using its own employees for solid waste collection within its jurisdiction, and commercial haulers operating under a contract with or franchise from a city or town.

County facilities. Their billing entities – either the commercial haulers themselves or cities, whichever bills customers directly – also pay a proportionate share of the Fixed-Annual Charge (FAC). The FAC is a set dollar amount that SWD collects from the billing entities and is independent of tonnage received.

Proposed Ordinance 2025-0182 would, effective January 1, 2026, increase:

- Fees to dispose of solid waste. For *solid waste collection entities*, the fee would increase from \$165.91 to \$179.18 per ton and for *self-haul customers with per-ton-rate vehicles*, such as a pickup truck, the fee would increase from \$203.81 to \$229.29 per ton. The minimum fee is proposed to increase from \$32.60 to \$36.69 per vehicle.
- The amount of the Fixed-Annual Charge from \$23,337,835 to \$26,838,510, an increase of 15 percent.
- Fees for yard waste, clean wood waste, or a combination thereof from \$115.00 to \$129.38 per ton.
- The low-income discount for qualified customers from the current \$18.00 to \$20.00 per entry.
- Fees for special waste, which require special handling and/or record keeping, from \$244.57 to \$275.14 per ton.

The narrative accompanying the proposed ordinance (Attachment A to PO 2025-0182) indicates that the increases are necessary due to rising costs to provide essential solid waste services and to fund the Division's capital improvement program. The fee narrative indicates that the Division is planning no increases in existing operating expenses beyond inflation and plans to cover any emergent needs out of salary savings and operating expenditure reductions.

Both the Metropolitan Solid Waste Management Advisory Committee and the Solid Waste Advisory Committee issued advisory notes (Attachments 6 and 7) that state their recognition of the continuing need for an adequate revenue stream to support essential solid waste services and to fund key priorities. However, both notes also raise concerns related to the impacts of increasing fees on residents and support a one-year rate setting approach to provide an opportunity for SWD to complete a comprehensive review of operating and capital expenditures and evaluate options for rate mitigation.

Executive staff are seeking Council action in early September to allow haulers and cities sufficient time to incorporate the County's fee changes into their billing and other systems, as well as notify the Washington Utilities and Transportation Commission, which requires 90 days' notice for changing fees.

BACKGROUND

Regional Solid Waste System Overview. The King County Solid Waste Division (SWD) is responsible for providing solid waste planning, management, transfer, and disposal services through 2040 for 37 partner cities³ that have signed interlocal

³ All cities in King County except Seattle and Milton participate in the County's regional system through executed ILAs.

agreements (ILAs), a service area that encompasses approximately 1.5 million people.⁴ SWD operates eight transfer stations and two drop boxes distributed throughout the region, the Cedar Hills Regional Landfill, which is the only operating landfill in the county, as well as waste prevention and recycling programs for the unincorporated area and partner cities.

By ILA and state law,⁵ the partner cities manage solid waste handling within their jurisdictions. Most cities contract with a commercial hauler for curbside collection within city limits. Cities may also do their own waste collection using city employees. In the unincorporated area and in cities that have opted not to use their contracting authority for collection services, curbside services are provided by commercial haulers operating under certificates issued by the Washington Utilities and Transportation Commission (WUTC).

The County receives solid waste or garbage at its transfer stations and drop boxes from contract, certificated, and municipal haulers, as well as self-haul customers. These waste loads are consolidated, transferred onto trailers, and transported by truck by the County to the Cedar Hills Regional Landfill (CHRLF) in unincorporated Maple Valley.

Long-Term System Planning. The regional solid waste system is currently in a period of transformation from one focused on disposal of materials to a system with greater emphasis on waste reduction, recovery, recycling, and regeneration. Following several years of relatively flat recycling rates,⁶ in 2022 the Solid Waste Division released the Re+ Strategic Plan, which describes the County's approach to meeting its adopted goal to achieve zero waste of resources by 2030.⁷

Concurrent with its efforts towards Re+ and zero waste, SWD in partnership with cities and a consultant are in the process of evaluating options for and determining the next disposal method to be used when the Cedar Hills Regional Landfill reaches capacity, which has been projected between 2037 and 2046.⁸ Last year, the Division had tentatively estimated that an update to the Comprehensive Solid Waste Management Plan with a recommendation for the next disposal method would be transmitted to the Council in 2026. However, it is now currently estimated that the transmittal will occur in 2028.

These two elements of solid waste planning both have an influence on future solid waste fees. Successful implementation of Re+ and zero waste efforts could reduce annual tons of waste disposed, as well as the revenue associated with those tons. This could put an upward pressure on fees. Additionally, depending on what long-term disposal option is selected, the County and regional system may need to incur additional capital and/or operating costs related to the chosen method.

⁴ 2019 Comprehensive Solid Waste Management Plan

⁵ R.C.W. 81.77.020 and 36.58.040

⁶ The transmitted 2025 Strategic Climate Action Plan notes that preliminary estimates for 2021 indicate that King County recycling rates remain flat at 56 percent. Data from the state Department of Ecology on recycling lags by several years.

⁷ K.C.C. 10.14.020.

⁸ Cedar Hills Regional Landfill 2020 Site Development Plan and Facility Relocation Final Environmental Impact Statement

Solid Waste System Revenues. SWD is primarily supported by a variety of fees that are approved by the Council and that vary based on the type of material collected (e.g., solid waste, yard waste), the type of customer vehicle (e.g., certain vehicles pay a flat fee versus a per-ton fee), and the facility receiving the material (e.g., facilities with/without scales). The current fees were approved in 2024 and went into effect on January 1, 2025.⁹

SWD offers a discount of \$18.00 per entry to low-income, self-haul customers at the County's transfer stations for the disposal of solid waste, yard/wood waste, appliances, and mattresses. Qualified customers must live in households at or below 200 percent of the federal poverty level and qualify by presenting their ORCA LIFT card, Electronic Benefits Card (EBT card), or Medicaid (ProviderOne) card at the transfer station.

Revenue Restructure. In 2022, the Council approved Ordinance 19413, which changed how SWD collects revenues from “solid waste collection entities,” which includes certificated haulers operating under UTC certificates, any city using its own employees for solid waste collection within its jurisdiction, and commercial haulers operating under a contract with or franchise from a city or town. Self-haul customers were not impacted by this fee restructure and continue to pay either a per-ton fee or minimum fee to dispose of solid waste at County transfer stations.

Ordinance 19413 introduced the Fixed-Annual Charge (FAC), which represents a total dollar amount independent from tonnage received that SWD will collect annually from billing entities – either haulers or cities, whichever entity bills customers directly. Figure 1 provides further illustration on how the restructured way of collecting revenues has been implemented, along with an example. Cities and haulers have the ultimate authority to determine how to pass along the FAC costs to its customers.

Figure 1.
Example of the Fixed Annual Charge Implementation

Under the Adopted Restructure, Billing Entities Pay:	
<p style="color: red; text-align: center;">Variable Fee (weight-based)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p>Per-ton-rate fee: \$165.91 per ton (2025 fee)</p> </div> <p style="text-align: center; font-size: 24px;">+</p> <p style="color: blue; text-align: center;">Fixed Fee (non-weight-based)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px auto; width: 80%;"> <p>Proportional share of Fixed-Annual Charge (FAC for 2025 = \$23.3 million)</p> </div>	<p>Example: Republic Services currently has a contract with the City of Bellevue to provide curbside collection services to residents and businesses/institutions and bills those customers directly. Under the new adopted fee structure, Republic Services receives a monthly invoice from SWD with two components:</p> <ol style="list-style-type: none"> 1) The variable component, which covers the tons of waste Republic Services brings from the Bellevue service area to the transfer stations using the current per-ton-rate fee of \$165.91 per ton; and 2) The fixed component, which is Republic Services' proportional share of the Fixed-Annual Charge for its Bellevue service area. For example, if Bellevue residents, businesses, and institutions generated 10 percent of all commercially hauled tons countywide in the most recent calendar year for which data is available, its billing entity -- in this case, Republic Services -- would be billed 10 percent of the FAC of approximately \$23.3 million over the course of the year, or approximately \$2.33 million.

⁹ Ordinance 19805

According to Executive staff, the per-ton fee charged to solid waste collection entities and the FAC together are designed to collect the same amount of revenue as the per-ton fee did alone under the previous fee structure, as updated for current costs. Executive staff indicate that because the FAC is a fixed value independent of tonnage received, a portion of SWD's revenues is more stable and predictable in times of volatility, such as in the case of tonnage declines during a recession or with successful waste reduction and recycling efforts.

Auditor's Letter to the Council. In March 2025, the Auditor's Office issued a letter to the Council, *Capital Projects Drive Rate Increases: Solid Waste Rates Could Double by 2034*.¹⁰ This letter indicates that rates for solid waste disposal are increasing significantly, in part due to several large capital projects. Between 2025 and 2040, according to the letter, the Division estimates that capital projects in planning and underway will cost over \$1.36 billion. Further, the letter states that SWD's current rate projections only include capital projects through 2033 and that SWD also expects future capital costs associated with the next disposal method when the landfill reaches capacity and potentially a project related to treating landfill leachate to remove PFAS.¹¹ Additionally, the letter notes that the costs for a mixed waste processing facility could be higher than the current \$400 million estimate.¹² This project, which is assumed in the rate model but not yet proposed in a budget ordinance to the Council, assumes that SWD would build and operate a facility that takes municipal solid waste and further separate materials following curbside garbage collection.

The Auditor's Office estimates that SWD's planned capital spending will increase annual debt service from around \$20 million, or 11 percent of the Division's revenue requirement in 2024, to over \$115 million, or 32 percent of the revenue requirement by 2034, which will constrain SWD's ability to control rates due to the fixed nature of payments. As a result, the Auditor's Office estimates that fees could more than double to over \$413 per ton by 2034.

The letter indicates that since most of the Division's large capital projects are in early phases such as planning and design, decision-makers could still decrease rate impacts on customers by scoping back, eliminating, or delaying projects. The letter makes no new recommendations but emphasizes the renewed importance for the Division to implement the recommendations from a 2015 audit to improve its communication of rate forecasts to increase transparency and better inform decision-making. Specifically, the 2015 recommendation suggests that the Division:

- Identify key assumptions affecting long-term rate forecasts;
- Conduct sensitivity analysis around the key assumptions; and

¹⁰ <https://kingcounty.gov/en/independents/governance-and-leadership/government-oversight/auditors-office/reports-papers/reports/2025/swd-rates-cpo>

¹¹ SWD discharges leachate from the landfill to the South Treatment Plant, which is regulated by King County Industrial Waste under an Industrial Discharge Permit. According to the letter, SWD staff report they anticipate these permits will include PFAS limits in the future.

¹² The letter indicates that SWD's rate model estimate includes capital costs only and not necessarily additional operating expenditures. It goes on to state that SWD acknowledge that there are inherent uncertainties with the cost of mixed waste processing, given lack of widespread use of the technology and that the final costs is dependent on both the technology and capacity of the system. According to the letter, SWD could use the system to manage only a portion of the County's waste stream.

- Present long-term rate forecasts to decision-makers portraying a range of potential rate outcomes reflecting different values for key assumptions.

One-Year Fee Proposal. At the May meeting of the Metropolitan Solid Waste Advisory Committee, SWD announced that they were putting forward a single-year rate proposal, instead of the biennial proposal with two annual increases that had previously been discussed. The Division noted that this was to reevaluate the capital program and explore opportunities for rate mitigation, as well as in response to concerns the two advisory committees shared about rising rates across utilities in King County.

While Council-adopted rates do not expire and are in place until a new rate is adopted and effective, Executive staff expect to transmit an ordinance next year to request another fee increase that would go into effect in 2027.

ANALYSIS

Proposed Ordinance 2025-0182 would, effective January 1, 2026, increase:

- Fees to accept solid waste, clean yard/wood waste, and special waste that have additional handling requirements, as summarized in Figures 2 and 4;
- The amount of the Fixed-Annual Charge to be collected by SWD annually from billing entities; and
- Increase the low-income discount amount.

According to the fee narrative (Attachment A to the proposed ordinance), the increases are necessary due to rising costs to provide essential solid waste services and to fund the Division's capital improvement program. The fee narrative indicates that the Division is planning no increases in existing operating expenses beyond inflation and plans to cover any emergent needs out of salary savings and operating expenditure reductions.

Proposed Fee Increases – Solid Waste. Figure 2 summarizes the current and proposed fees to dispose of solid waste and other materials.¹³ Most fees to dispose of solid waste are proposed to increase by 12.5% in 2026.

According to the fee narrative, the average monthly curbside impact for all residents in the County's service area, after haulers pass along the increased disposal fee, is forecasted to be approximately \$0.71 per month for customer with a 32-gallon can size. However, because all cities have different starting rates and distribute the disposal costs across their customer bases differently, the forecasted impact will not match an actual customer impact in a given city but is expected to be accurate in the aggregate across the entire County service area. The Division did some additional estimated modeling for this rate proposal broken out by city, which estimated a low-impact of \$0.30 per month and a high-impact of \$1.15 per month.

Figure 3 provides the history of Council-adopted self-haul per-ton fees from 1997 through the proposed ordinance, along with the percentage increases. Note that this

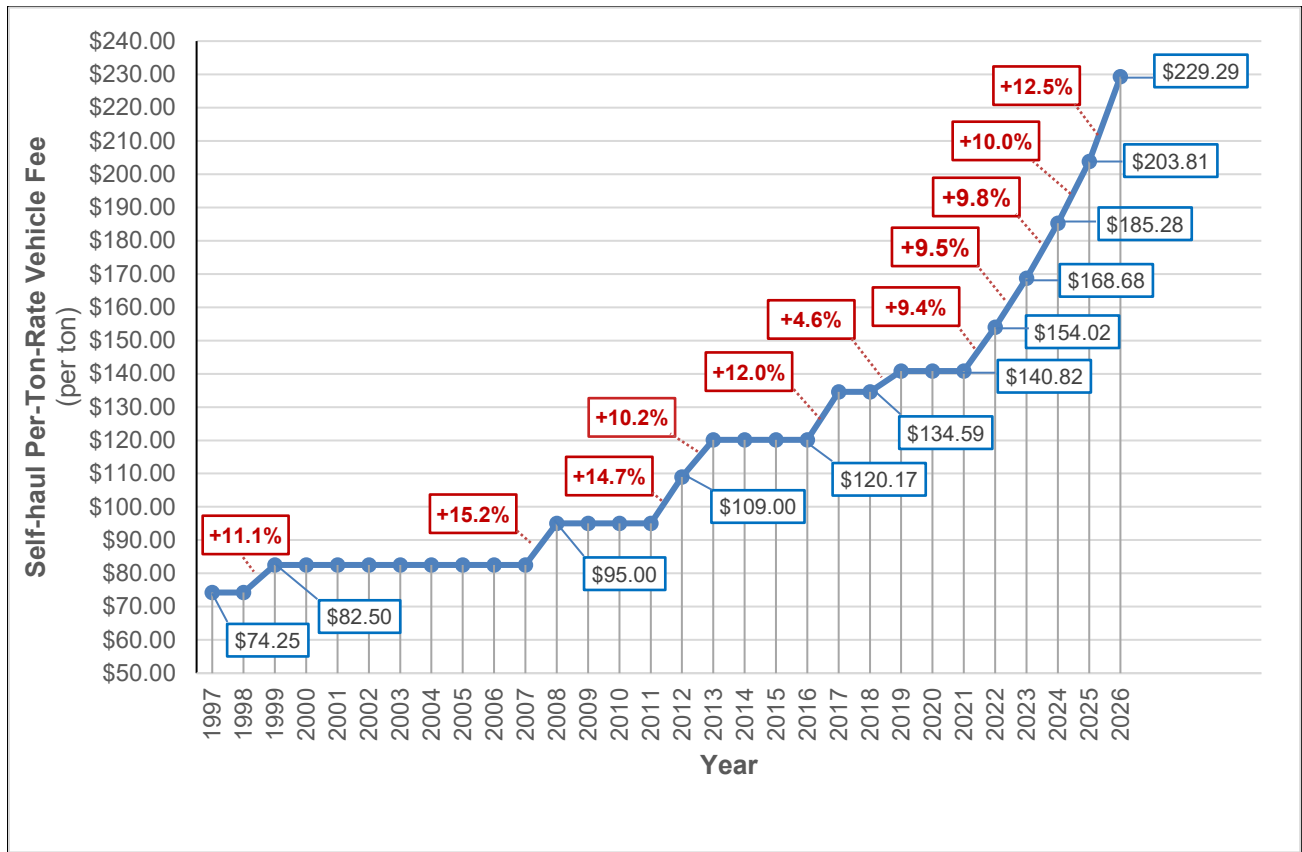
¹³ Pre-tax and without the moderate-risk waste surcharge that funds hazardous waste programs throughout the county.

staff report does not include a similar visual for the fees charged to solid waste collection entities as the revenues are now split between the FAC and the per-ton fee and therefore, a similar historical illustration has less comparative value.

**Figure 2.
Current 2025 Disposal Fees vs. Proposed Fees for 2026**

Facility Type	Material Type	Customer Type	Current 2025 Fee	Proposed 2026 Fee	% Change
Fees for use of facilities <u>WITH SCALES</u> (not including Cedar Hills landfill)	Solid Waste	Fixed-rate vehicles (e.g., hatchback or sedan)	\$32.60 per entry	\$36.69 per entry	12.5%
		Solid waste collection entity per-ton-rate vehicles (e.g., contract haulers, certificated haulers)	\$165.91 per ton	\$179.18 per ton	8.0%
		Self-hauler per-ton-rate vehicles (e.g., SUVs, trucks)	\$203.81 per ton	\$229.29 per ton	12.5%
		Charitable organizations	\$156.93 per ton	\$176.55 per ton	12.5%
		Minimum (<320 lbs.)	\$32.60 per vehicle	\$36.69 per vehicle	12.5%
		Charitable organizations - minimum charge	\$25.12 per entry	\$28.25 per entry	12.5%
	Source-separated yard waste, clean wood waste, or combination	Fixed-rate vehicles	\$18.00 per entry	\$20.70 per entry	15.0%
		Per-ton-rate vehicles	\$115.00 per ton	\$129.38 per ton	12.5%
		Minimum	\$18.00 per vehicle	\$20.70 per vehicle	15.0%
Disposal of solid waste at facilities <u>WITHOUT SCALES</u>	Solid Waste	Fixed-rate vehicles	\$32.60 per entry	\$36.69 per entry	12.5%
		Per-ton-rate vehicles (Compacted waste)	\$59.10 per cubic yard	\$66.49 per cubic yard	12.5%
		Per-ton-rate vehicles (Uncompacted)	\$34.65 per cubic yard	\$38.98 per cubic yard	12.5%
		Minimum	\$32.60 per vehicle	\$36.69 per vehicle	12.5%
	Source-separated yard waste, clean wood waste, or combination	Fixed-rate vehicles	\$18.00 per entry	\$20.70 per entry	15.0%
		Per-ton-rate vehicles (Compacted waste)	\$33.35 per cubic yard	\$37.52 per cubic yard	12.5%
		Per-ton-rate vehicles (Uncompacted)	\$19.55 per cubic yard	\$21.99 per cubic yard	12.5%
		Minimum charge	\$18.00 per vehicle	\$20.70 per vehicle	15.0%
Cedar Hills Landfill	Solid Waste	Regional direct	\$163.05 per ton	\$194.89 per ton	19.5%
		Solid waste collection entity per-ton-rate vehicles	\$165.91 per ton	\$179.18 per ton	8.0%

Figure 3.
Self-Haul Per-ton-rate Vehicle Fee Increases (1997-2026 Proposed)
 (Percentage increases in red boxes)



Proposed Fees – Yard and Clean Wood Waste. The proposed fees for yard and clean wood waste are summarized in Figure 2. Depending on the customer vehicle type, these fees are proposed to increase either 12.5% or 15.0%.¹⁴

Between 2011 and 2021, the fee for yard and clean wood waste remained unchanged at \$75 per ton, at which point the Division proposed and the Council approved an increase to \$100 per ton in 2022 and to \$115 per ton in 2023 to begin to bring the fee more in line with the cost of service. Executive staff indicate that the proposal to increase the fee to \$129.38 for 2026 furthers that effort, but that revenues for yard waste collection are still only equal to about half the cost of providing the service.

Proposed Fees – Special Waste Fees. The proposed ordinance would increase the special waste fees for materials that require special handling, record keeping, or both, such as asbestos-containing materials and contaminated soil. These changes are summarized in Figure 4. The special wastes are proposed to increase between 12 and 13% in 2026.

¹⁴ Pre-tax and without the moderate-risk waste surcharge that funds hazardous waste programs throughout the county.

**Figure 4.
Current vs. Proposed Special Waste Fees**

Fee Type	Current 2025 Fee	Proposed 2026 Fee	% Change
Special waste fee	\$244.57 per ton	\$275.14 per ton	12.5%
Special waste – min. charge	\$39.09 per entry	\$44.02 per entry	12.6%
Special waste fee, extra handling	\$285.33 per ton	\$321.01 per ton	12.5%
Special waste fee, extra handling min. charge	\$45.61 per entry	\$51.36 per entry	12.6%

Proposed Fixed-Annual Charge (FAC). The FAC is the amount SWD collects annually and cumulatively, independent of tonnage received into the system, from billing entities – either commercial haulers or cities, depending on which entity bills curbside customers directly.

The proposed ordinance would increase the FAC from \$23,337,835 to \$26,838,510, an increase of 15.0%. For comparison, this proposed increase is larger than the increase between 2024 and 2025, which was 3.2%. According to the fee narrative, the amount of the FAC is equal to the commercial haulers' portion of the non-disposal service costs (e.g., administration expenses, regional planning, Re+ actions, and regulatory compliance). For example, if the sum of all non-disposal costs totaled \$100 million, and the commercial customer class share of these costs was 30%, the FAC would be set at \$30 million.

Executive staff indicate that how a billing entity's share of the FAC is passed onto their curbside customers is determined by the collection entity and city through their collection contracts.

Proposed Low-Income Discount. The proposed ordinance would increase the Cleanup LIFT discount amount from the current \$18.00 per entry to \$20.00 in 2026, which would be equivalent to roughly half of the minimum fee including taxes and fees for garbage transactions. The fee proposal narrative indicates that the County has provided over 75,000 discounts to self-haul customers since the program began in 2019. In 2024, approximately 3.3% of all self-haul transactions were discounted, up from 3.14% in 2023 and 2.7% in 2022.

Key Drivers of Increased Costs to Provide Services. The fee proposal narrative indicates that the primary drivers of the increased costs of services are the financial needs of capital projects and higher interest rates on bonds, inflation and economic uncertainty, and the ongoing costs to meet environmental and safety controls at the Cedar Hills landfill and closed landfills managed by the County. Additional information about these drivers is provided below:

- *Financial needs of capital projects and higher bond rates:* SWD continues to be in a period of heightened capital investment to implement actions called for in the 2019 Comprehensive Solid Waste Management Plan, including the construction

of the South County and Northeast Recycling and Transfer Stations, expanding landfill capacity, and making upgrades to landfill infrastructure.¹⁵ According to the fee narrative, the pandemic recovery was accompanied by significant supply chain disruptions and permitting delays, which delayed projects. The fee narrative also indicates that “the cost of these capital expenditures has grown significantly over the last few years due to inflation and now higher interest rates on bonds issued to fund this work.”¹⁶ The fee narrative notes that while the investments approved in the 2019 CSWMP carry significant costs, they remain popular with the advisory committees and partner cities.

Further, the bond length used by the Division is currently limited to the duration of the ILAs with partner cities, which are in effect through 2040 and guarantee the revenue backing needed to issue General Obligation bonds. According to the fee narrative, until the ILAs are extended, debt issued for capital projects in the near term will have ever shorter repayment periods, which puts an upward pressure on rates. The fee narrative states that in 2022 partner cities indicated they did not want to begin ILA extension discussions until after a decision has been made for long-term disposal after the closure of Cedar Hills.

- *Inflation and economic uncertainty:* According to the fee narrative, the County is facing economic conditions that could reduce revenues and increase costs. The narrative notes that while inflation has cooled over the last year compared to previous years, it may be exacerbated by increases in tariffs imposed on imported goods. The narrative also notes that tariff impacts coupled with consumer concerns about the economy could result in fewer annual tons than projected and therefore lower revenues, as historically economic downturns have correlated with lower waste volumes received by the County. As a result, the Division has downgraded its expected revenue forecast for the year, according to the fee narrative, and is anticipating diminished economic activity as tariff impacts become more widely felt.
- *Environmental compliance at the Cedar Hills landfill and closed landfills:* The fee narrative states that the frequency and intensity for testing, monitoring, and reporting requirements for environmental and other regulations has increased. In response to recent Department of Ecology regulations to improve the control of methane emissions from landfills, SWD indicates they have hired two new landfill gas utility operators and expect to fill a new Engineer III position to support the increased sampling and reporting requirements.

Key Rate Model Assumptions. Key assumptions included in the rate model are described below:

- *No long-term disposal costs assumed:* According to Executive staff, they did not

¹⁵ Ordinance 18893

¹⁶ Attachment A, p. 7

include costs for the next disposal method to be used when the landfill reaches capacity in the rate model because there is a significant difference in estimated capital costs for the options being considered and because the majority of these costs would likely occur outside of the rate model planning window.

- *Plans for a spend down of Rainy Day and Rate Stabilization Reserves:* Executive staff indicate that the rate model projects drawing down the Rainy Day Reserve to support the \$5 million settlement payment related to the dispute with Bio Energy Washington, the owner and operator of the landfill gas processing facility onsite at Cedar Hills.¹⁷ Under the County's adopted Comprehensive Financial Management Policies:

*Rainy Day Reserves may be drawn down when the County is in a period of economic contraction, as defined in the recession preparation and response policies and adopted by the Forecast Council, and the fund's total revenue for the current year is or is projected to be less than 97 percent of adopted revenue estimates, with the decrease reasonably related to the economic contraction. Requests for drawing down Rainy Day Reserves require the approval of the [Office of Performance, Strategy, and Budget] Director prior to an appropriation request being transmitted to Council. A fund's Rainy Day Reserves should begin to be replenished once the Forecast Council has adopted that the County is exiting the period of economic contraction.*¹⁸

Executive staff note that they may not end up tapping the Rainy Day Reserve depending on actual revenues and expenditures for 2025, indicating that if it is necessary, the Division will coordinate with the Office of Performance Strategy and Budget Director to ensure compliance with County financial policies.

Additionally, the Division has been slowly drawing down the Rate Stabilization Reserve over the past five years to mitigate rate increases and expects to continue to do so in 2025 and 2026, when it is expected to be fully exhausted. However, Executive staff anticipate that all reserves will be fully replenished by the end of the 2026-2027 biennium.

- *Assumes tonnage reductions associated with Re+ efforts:* Executive staff indicate that the rate model is based on a tonnage forecast that assumes a range of Re+/zero waste actions will be undertaken. According to the fee narrative, this tonnage forecast assumes: organics diversion, including food waste diversion from the statewide organics legislation passed in 2022; reduction due to extended producer responsibility and deposit return system legislation (anticipated in 2031); expanded recycling efforts at transfer stations; and new sorting technologies such as mixed-waste processing.

¹⁷ Ordinance 19959

¹⁸ Motion 16041

- *Landfill gas revenue assumed beginning in 2026:* The rate model assumes revenues for the sale of renewable natural gas and the associated environmental attributes will begin in 2026 and that year generate approximately \$28.8 million in new annual revenue.

Future Outlook. Executive staff indicate that according to their near-term rate model, which spans 2026-2031, they are forecasting that fees for disposal will need to increase approximately 12% each year, with the projected self-haul per-ton-vehicle rate rising to \$405.88 per ton in 2031. However, according to Executive staff, they expect that this fee trajectory will change as they reevaluate their capital program and expenditures prior to transmitting a 2027 fee proposal.

Advisory Committee Involvement. The fee proposal was discussed at monthly meetings between January and May of both the Metropolitan Solid Waste Management Committee (MSWAC), composed of city representatives, and the Solid Waste Advisory Committee (SWAC), which represents a range of interests, including haulers and environmental organizations. Both committees provided advisory notes (Attachments 6 and 7) that state their recognition of the continuing need for an adequate revenue stream to support essential solid waste services and to fund key priorities. However, both notes also raise concerns related to the impacts of increasing fees on residents and support the one-year rate setting approach in order to allow SWD an opportunity for a comprehensive review of operating and capital expenditures and options for rate mitigation. MSWAC and SWAC also express support for a Regional Utilities Affordability Summit proposed by Executive Braddock's 200 Day Plan.

Timing. In order for the proposed fees to go into effect on January 1, 2026, the Council would have to act prior to October 1st to allow for the state notice period of 90 days for changing fees, as required by WUTC. However, Executive staff are seeking Council action on the proposed ordinance in early September to allow the Division to communicate the final fee amounts to haulers and cities and also to allow for sufficient time to incorporate the County's fee changes into their billing and other systems and notify the WUTC.

AMENDMENT

Amendment 1 would make a technical change correcting the original ordinance number being amended.

Amendment T1 would also make technical corrections to remove the reference to construction and demolition fees, which are not proposed to be changed by the ordinance, and also correct the original ordinance number being amended.



Signature Report

Ordinance

Proposed No. 2025-0212.2

Sponsors Dembowski

1 AN ORDINANCE relating to the levy collection of the
2 sales and use tax of one-tenth of one percent for the
3 delivery of behavioral health services and therapeutic
4 courts authorized by RCW 82.14.460; continuing the sales
5 and use tax; adding a new section to K.C.C. chapter
6 4A.500, establishing an effective date, and establishing an
7 expiration date.

8 STATEMENT OF FACTS: The executive is preparing for transmittal in
9 2026 of an updated implementation plan to guide future investments for
10 the continuing behavioral health sales and use tax authorized by RCW
11 82.14.460, which is expected to be a countywide plan.

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. Findings: This ordinance provides for the continued collection,
14 without interruption and at the same rate, of the sales and use tax that is authorized by
15 RCW 82.14.460, which has been imposed in King County since 2008.

16 NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 4A.500
17 a new section to read as follows:

18 A. For the purpose of providing funding for the operation or delivery of
19 behavioral health programs and services, and therapeutic courts programs and services as
20 authorized by RCW 82.14.460, as now existing or as hereafter amended, a sales and use

21 tax of one-tenth of one percent is hereby levied, fixed and imposed on all taxable events
22 within King County as defined in chapters 82.08, 82.12, and 82.14 RCW, except as
23 provided in subsection B. of this section. The tax shall be imposed upon and collected
24 from those persons from whom sales tax or use tax is collected in accordance with
25 chapter 82.08 or 82.12 RCW, and shall be so collected at the rate of one-tenth of one
26 percent of the selling price, in the case of a sales tax, or value of the article used, in the
27 case of a use tax. The sales and use tax shall be in addition to all other existing sales and
28 use taxes currently imposed by the county.

29 B. If, as a result of the imposition of the additional sales and use tax authorized in
30 subsection A. of this section, the county imposes an additional sales and use tax upon
31 sales of lodging in excess of the limits in RCW 82.14.410, the sales shall be exempt from
32 the imposition of that additional sales and use tax.

33 SECTION 3. Section 2 of this ordinance takes effect January 1, 2026.

34 SECTION 4. Section 2 of this ordinance expires January 1, 2035.

35 SECTION 5. Severability. If any provision of this ordinance or its application to

- 36 any person or circumstance is held invalid, the remainder of the ordinance or the
- 37 application of the provision to other persons or circumstances is not affected.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: None



King County

Metropolitan King County Council Budget and Fiscal Management Committee

REVISED STAFF REPORT

Agenda Item:	5	Name:	Sam Porter
Proposed No.:	2025-0212	Date:	August 27, 2025

COMMITTEE ACTION

Proposed Substitute Ordinance 2024-0212.2 which would continue the collection of the MIDD sales and use tax for a term of nine years, passed out of committee on August 27, 2025, with a “Do Pass” recommendation. The Proposed Ordinance was amended in committee with Amendment 1 to add the word “additional” on line 29 so that the ordinance correctly refers to the MIDD tax as an “additional” sales and use tax.

SUBJECT

Proposed Ordinance 2025-0212, which, if enacted, would continue the collection of the Mental Illness and Drug Dependency (MIDD) sales and use tax for a term of nine years.

SUMMARY

The MIDD sales and use tax has been imposed in King County since 2008, and the current MIDD II tax is set to expire January 1, 2026. If adopted by Council, Proposed Ordinance 2025-0212 would continue the one-tenth of one percent MIDD tax for an additional term of nine years to expire January 1, 2035. The tax is authorized by RCW 82.14.460 for the purpose of paying for the operation or delivery of behavioral health¹ programs and services, and therapeutic court programs and services. If renewed, the tax is projected as of July 2025 to generate approximately \$203 million in the 2026-2027 biennium, and more than \$1 billion over the nine-year term.²

¹ The term “behavioral health” encompasses both mental health and substance use disorders. Substance use is referred to as “chemical dependency” in RCW 82.14.460.

² Office of Economic and Financial Analysis (OEFA) July 2025 Forecast, https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/forecasting/documents/july2025_pdf.pdf?rev=6abcfdb918314a40a3c82d9f0de6ea14&hash=7B796FB39494EB5CEA00BBB043DB3F8D

For collections to continue without interruption, the state Department of Revenue would need to be notified of the effective legislation by October 18.³

Proposed Ordinance 2025-0212 is a nonmandatory dual referral to the Regional Policy Committee under K.C.C. 1.24.065.I as an issue that would benefit from interjurisdictional discussion. The Legislative Schedule for the Proposed Ordinance appears at the end of this staff report.

BACKGROUND

MIDD Established in State Law. In 2005, the Washington State Legislature provided a funding option enabling county legislative authorities to raise the local sales tax by one tenth of one percent to fund behavioral health and therapeutic court programs. By law, funds raised by this tax are to be dedicated to new or expanded behavioral health services and new or expanded therapeutic court programs.⁴ Furthermore, RCW 82.14.460(3) requires that every county that authorizes this tax must operate a therapeutic court for dependency proceedings.

MIDD I (2008-2016). In 2007, the King County Council adopted Ordinance 15949 authorizing the original MIDD levy (MIDD I) and collection of an additional sales and use tax of one-tenth of one percent for the delivery of behavioral health services and therapeutic courts over a period of nine years which expired January 1, 2017. Ordinance 15949 also established a policy framework for measuring the effectiveness of the public's investment in MIDD I programs, requiring the King County Executive to submit oversight, implementation and evaluation plans for the programs funded with the tax revenue. Subsequent ordinances established the MIDD Oversight Committee (established 2008⁵, amended in 2017 to be the "Advisory Committee"⁶) and the MIDD Implementation Plan and MIDD Evaluation Plan (October 2008).⁷

MIDD II (2017-2025). In 2015, the King County Council passed Ordinance 17998 requiring a comprehensive review of MIDD I strategies, an analysis of investments, and set forth a process and criteria for recommending new strategies to be considered for MIDD II. In June 2016, the Executive transmitted the comprehensive historical review, assessment of MIDD I⁸, and a proposal to continue collections for another nine-year term starting in 2017.⁹ In August 2016, Council adopted Ordinance 18333 which continued the collection of the sales tax uninterrupted for another nine years and is set to expire January 1, 2026. In August 2016, the Executive transmitted the MIDD II

³ The Department of Revenue requires notification 75 days before January 1, 2026, if the MIDD is renewed to ensure uninterrupted collections.

⁴ RCW 82.14.460

⁵ Ordinance 16077 established the MIDD Oversight Committee as an advisory body to the King County Executive and the Council.

⁶ Ordinance 18452

⁷ In October 2008, the Council adopted the MIDD Implementation Plan and the MIDD Evaluation Plan via Ordinance 16261 and Ordinance 16262.

⁸ Motion 14712 was adopted September 2016

⁹ Ordinance 18333

service improvement plan (SIP) to guide MIDD II investments.¹⁰ The SIP was approved through Ordinance 18406 in November 2016 and will expire with MIDD II on January 1, 2026.

Ordinance 18407 (passed in conjunction with the SIP) revised the MIDD policy goals in King County Code. Chapter 4A.500.309 sets forth the MIDD II policy goals in King County Code that will expire January 1, 2026. These goals are to:

1. Divert individuals with behavioral health needs from costly interventions such as jail, emergency rooms and hospitals;
2. Reduce the number, length and frequency of behavioral health crisis events;
3. Increase culturally-appropriate, trauma-informed behavioral health services;
4. Improve the health and wellness of individuals living with behavioral health conditions; and
5. Explicit linkage with, and furthering the work of, King County and community initiatives.

King County MIDD Revenue History. From 2008 through 2025, MIDD is currently projected to generate more than \$1.15 billion as summarized in Table 1.

Table 1.
MIDD Annual Revenue 2008-2025 with Percentage Change
Data from the Office of Economic and Financial Analysis (OEFA)

	Year	MIDD Revenue	Percentage Change
MIDD I	2008	\$35,564,904	-
	2009	\$41,773,812	17.46%
	2010	\$40,717,980	-2.53%
	2011	\$43,099,478	5.85%
	2012	\$45,000,360	4.41%
	2013	\$48,298,263	7.33%
	2014	\$52,286,424	8.26%
	2015	\$57,487,559	9.95%
	2016	\$61,399,254	6.80%
MIDD II ¹¹	2017	\$64,979,114	5.83%
	2018	\$71,198,452	9.57%
	2019	\$74,773,247	5.02%
	2020	\$70,393,210	-5.86%
	2021	\$82,602,624	17.34%
	2022	\$90,416,789	9.46%

¹⁰ Ordinance 17998 also required a progress report in the interim on the status of the SIP and historical review and assessment.

¹¹ Includes data from the July 2025 OEFA Forecast.

	2023	\$91,971,205	1.72%
	2024	\$91,887,621	-0.09%
	2025	\$92,579,683	0.75%
		\$1,156,429,979	Total Projected Collections

Since its inception, MIDD has supported new and expanded behavioral health programs as allowed under state law including King County Adult and Juvenile Drug Courts, Family Treatment Court, Regional Mental Health Court, Community Court, and Seattle Municipal Treatment Courts, as well as Law Enforcement Assisted Diversion (LEAD), Geriatric Regional Assessment Team, Mental Health First Aid, Next-Day Crisis Appointments, Children’s Crisis Outreach Response System, the Recovery Café, Behavioral Health Services in Rural King County, and Community-Driven Behavioral Health Grants for Cultural and Ethnic Communities. A complete list of MIDD II Strategies and Initiatives can be found at this webpage: <https://kingcounty.gov/en/dept/dchs/human-social-services/community-funded-initiatives/midd-behavioral-health-tax/initiatives>

MIDD II Impacts. According to a memo attached to the transmittal letter for Proposed Ordinance 2025-0212, more than 100,000 King County residents have received MIDD-funded services during MIDD II, with more than 20 new initiatives implemented during this timeframe, including, “next-day appointments for substance use disorder assessment, creating additional mobile crisis teams in south King County, and expanding School-Based Screening, Brief Intervention, and Referral to Treatment/Services.” According to the memo, MIDD data “suggests that through MIDD programs, participants are receiving the support they need to achieve or maintain their recovery in their communities.” Furthermore, MIDD participants three years after their enrollment had 67 percent fewer engagements with publicly funded crisis services, 36 percent episodes of hospitalization and involuntary treatment, 62 percent bookings into King County and municipal jails, and 33 percent emergency department visits.

ANALYSIS

Proposed Ordinance 2025-0212 would extend the MIDD sales tax for another nine-year period (2026-2034). If passed, MIDD III revenue collections are currently expected to generate more than \$1 billion according to the July 2025 OEFA Forecast.¹² The increase in projected revenue is due to factors including inflation and the 2025 state legislative sales tax expansion.

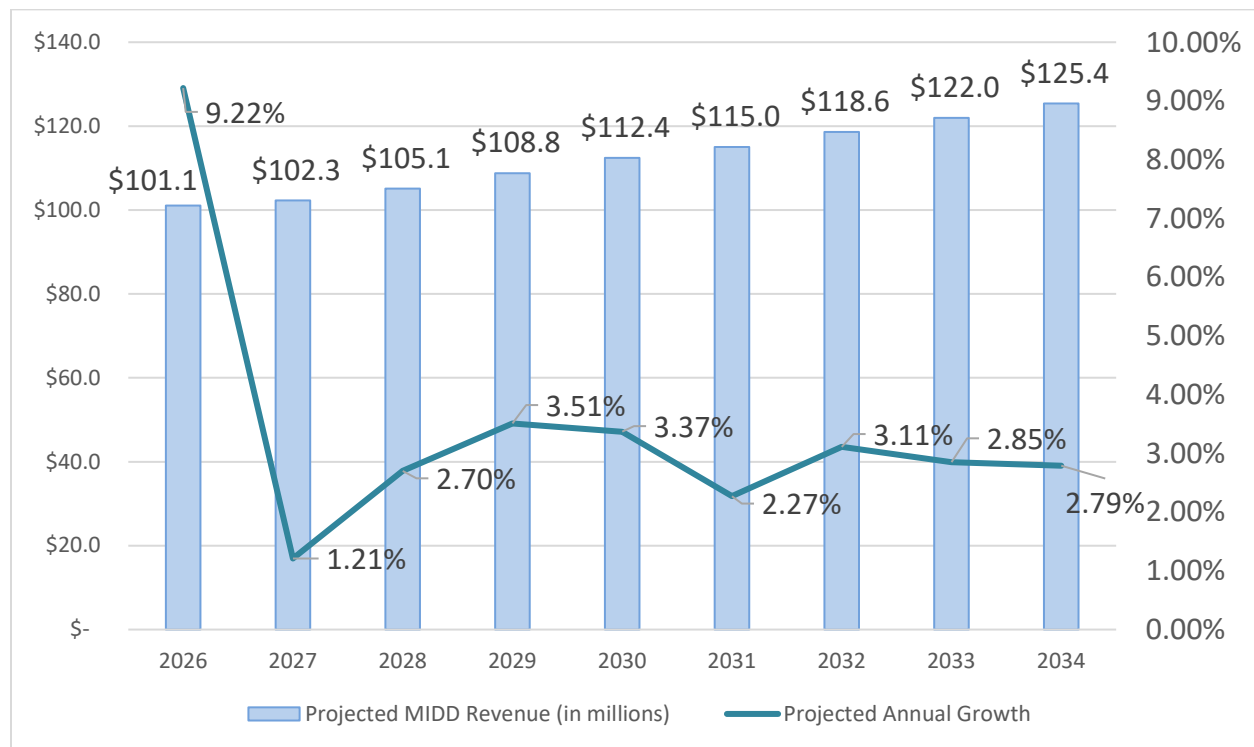
2025 State Legislative Sales Tax Expansion. In 2025, the Washington State Legislature adopted ESSB 5814, which broadens the sales tax base to include some services not previously included such as information technology support, temporary

¹² July 2025 OEFA Forecast https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/forecasting/documents/july2025_pdf.pdf?rev=6abcfdb918314a40a3c82d9f0de6ea14&hash=7B796FB39494EB5CEA00BBB043DB3F8D

staffing, and digital advertising services.¹³ Many of these services are concentrated within King County and are therefore expected to result in increased sales tax collections as is demonstrated in the July 2025 OEFA forecast.

Currently projected revenue and annual growth for MIDD III are summarized in Table 2.

Table 2.
Projected MIDD III Annual Revenue 2026-2035 with Annual Growth Rate
Data from the Office of Economic and Financial Analysis (OEFA)



Growth Rate. Tables 3 and 4 provide a comparison of the average annual growth rate between MIDDs I and II, and projections for MIDD III. This comparison demonstrates that while the sum of more than \$1 billion projected to be generated in 2026-2034 is almost the same amount of revenue generated from the last 18 years, the growth rate itself is slowing from almost 8.9 percent per year between MIDD I and II, to only a 2.7 percent per year future growth rate for MIDD III. OEFA's Chief Economist, Lizbeth Martin-Mahar, has stated that without the expanded sales tax base provided by the State Legislature in 2025, the July 2025 forecast would have been lower for MIDD by approximately \$6.9 million in 2026 alone, resulting in only a 1.8 percent annual growth from 2025 to 2026 instead of the 9 percent currently projected for 2026. Furthermore, she indicates that the future projections of MIDD on an annualized basis are sizably less than the long-term historical growth of \$3.2 million or 8.9 percent per year.

¹³ SB 5814 - 2025-26, *Modifying the application and administration of certain excise taxes*.
<https://app.leg.wa.gov/billsummary/?BillNumber=5814&Year=2025&Initiative=false>

Table 3. OEFA Comparison of MIDD Entire History with Projections for MIDD III

Time Period	MIDD Revenue (in millions)
MIDD I & II (2008-2025)	
2008	\$35.56 million
2025	\$92.89 million
Historical Growth (\$) for 18 years	\$57.33 million / \$3.2 million per year
Historical Growth (%) for 18 years	161.2% / 8.9% per year
MIDD III Projections (2026-2034)	
2026	\$101.11 million
2034	\$125.36 million
Future Growth (\$) for 9 years	\$24.25 million / \$2.7 million per year
Future Growth (%) for 9 years	24.0% / 2.7% per year

Table 4. OEFA Comparison of MIDD II with Projections for MIDD III

Time Period	MIDD Revenue (in millions)
MIDD II (2017-2025)	
2017	\$64.98 million
2025	\$92.89 million
Historical Growth Rate (%) for 9 Years	42.9% / 4.8% per year
MIDD III Projections (2026-2034)	
2026	\$101.11 million
2034	\$125.36 million
Future Growth Rate (%) for 9 years	24.0% / 2.7% per year

Notable Expiring Components of MIDD II. The following components of MIDD II described in KCC 4A.500 are set to expire with the current tax on January 1, 2026:

1. Policy Goals;
2. Service Improvement Plan governing expenditures;
3. Evaluation Plan, including annual reporting requirements; and
4. Binding partnership agreement and requirements¹⁴.

These components were not included in the transmitted legislation for MIDD III and are not required to extend the tax. The Statement of Facts of Proposed Ordinance 2025-

¹⁴ KCC 4A.500.330 requires that no contractor providing \$3 million or more of services annually to the County can receive MIDD revenue unless it has a partnership agreement with a labor organization.

0212 indicates that the Executive is preparing to transmit an updated implementation plan in 2026 to guide future investments for the MIDD III period. Previously, Executive staff indicated that the estimated transmittal date would be June 30, 2026. Executive staff now state that the incoming County Executive may wish to issue a new timeline for the transmittal and that, “it is the intention that the existing implementation plan would govern spending until a new implementation plan is adopted by the Council.” Councilmembers may wish to consider adopting separate legislation to extend and/or update any of the four components listed above rather than wait for transmittal of a new implementation plan. On August 20, 2025, Executive staff notified Council staff of the Executive’s intent to transmit legislation with the budget to continue the MIDD II SIP until a new implementation plan is adopted in 2026.

Timeline. If the Council chooses to extend the MIDD expiration date, the Department of Revenue requires notification by October 18, 2025, to allow for uninterrupted collections. This would require action on the proposed ordinance by the Full Council no later than its October 7 regular meeting, or as an emergency at the October 14 meeting. Table 5 outlines the current legislative schedule for the Proposed Ordinance. Note that the Executive has requested that Proposed Ordinance 2025-0212 be taken up in September so the tax revenue can be assumed in the Executive’s proposed 2026-2027 biennial budget.

Table 5. Legislative Schedule for Proposed Ordinance 2025-0212

Action	Committee/ Council	Date	Amendment Deadline
Submitted to Clerk	-	July 10	-
Introduction and Referral	Full Council	July 22	-
Briefing <i>(BFM in control)</i>	Special RPC	August 20	-
Discussion Only	Special BFM	August 21 Cancelled	-
Action	BFM	August 27	Striker direction: August 20 Striker distribution: August 22 Line AMD direction: August 25
Action	RPC	September 10	Striker direction: September 3 Striker distribution: September 5 Line AMD direction: September 8
Final Action – If expedited	Full Council	September 16	Striker direction: September 9 Striker distribution: September 11 Line AMD direction: September 14
Final Action Regular Course	Full Council	September 23	Striker direction: September 16 Striker distribution: September 18 Line AMD direction: September 21
DOR Notification Deadline	-	October 18	-

Council's legal counsel has reviewed the legislation and raised no legal issues.

AMENDMENT

Council's legal counsel is recommending a technical line amendment to add the word "additional" on line 29 so that the ordinance correctly refers to the MIDD tax as an "additional" sales and use tax.



King County

Metropolitan King County Council Regional Policy Committee

STAFF REPORT

Agenda Item:	6	Name:	Sam Porter
Proposed No.:	2025-0212.2	Date:	September 10, 2025

SUBJECT

Proposed Ordinance 2025-0212, which, if enacted, would continue the collection of the Mental Illness and Drug Dependency (MIDD) sales and use tax for a term of nine years.

SUMMARY

The MIDD sales and use tax has been imposed in King County since 2008, and the current MIDD II tax is set to expire January 1, 2026. If adopted by Council, Proposed Ordinance 2025-0212 would continue the one-tenth of one percent MIDD tax for an additional term of nine years to expire January 1, 2035. The tax is authorized by RCW 82.14.460 for the purpose of paying for the operation or delivery of behavioral health¹ programs and services, and therapeutic court programs and services. If renewed, the tax is projected as of July 2025 to generate approximately \$203 million in the 2026-2027 biennium, and more than \$1 billion over the nine-year term.²

For collections to continue without interruption, the state Department of Revenue would need to be notified of the effective legislation by October 18.³

Proposed Ordinance 2025-0212 is a nonmandatory dual referral to the Regional Policy Committee under K.C.C. 1.24.065.I as an issue that would benefit from interjurisdictional discussion. The Legislative Schedule for the Proposed Ordinance appears at the end of this staff report. **Today is the second briefing to the Regional Policy Committee on the renewal proposal.**

Update for 9/10 Staff Report: Proposed Ordinance 2024-0212, as amended, passed out of the Budget and Fiscal Management Committee on August 27, 2025, with a “Do Pass” recommendation. The transmitted legislation was amended in the BFM

¹ The term “behavioral health” encompasses both mental health and substance use disorders. Substance use is referred to as “chemical dependency” in RCW 82.14.460.

² Office of Economic and Financial Analysis (OEFA) July 2025 Forecast, https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/forecasting/documents/july2025_pdf.pdf?rev=6abcfdb918314a40a3c82d9f0de6ea14&hash=7B796FB39494EB5CEA00BBB043DB3F8D

³ The Department of Revenue requires notification 75 days before January 1, 2026, if the MIDD is renewed to ensure uninterrupted collections.

Committee with a technical amendment to add the word “additional” on line 29 so that the ordinance correctly refers to the MIDD tax as an “additional” sales and use tax.

BACKGROUND

MIDD Established in State Law. In 2005, the Washington State Legislature provided a funding option enabling county legislative authorities to raise the local sales tax by one tenth of one percent to fund behavioral health and therapeutic court programs. By law, funds raised by this tax are to be dedicated to new or expanded behavioral health services and new or expanded therapeutic court programs.⁴ Furthermore, RCW 82.14.460(3) requires that every county that authorizes this tax must operate a therapeutic court for dependency proceedings.

MIDD I (2008-2016). In 2007, the King County Council adopted Ordinance 15949 authorizing the original MIDD levy (MIDD I) and collection of an additional sales and use tax of one-tenth of one percent for the delivery of behavioral health services and therapeutic courts over a period of nine years which expired January 1, 2017. Ordinance 15949 also established a policy framework for measuring the effectiveness of the public's investment in MIDD I programs, requiring the King County Executive to submit oversight, implementation and evaluation plans for the programs funded with the tax revenue. Subsequent ordinances established the MIDD Oversight Committee (established 2008⁵, amended in 2017 to be the “Advisory Committee”⁶) and the MIDD Implementation Plan and MIDD Evaluation Plan (October 2008).⁷

MIDD II (2017-2025). In 2015, the King County Council passed Ordinance 17998 requiring a comprehensive review of MIDD I strategies, an analysis of investments, and set forth a process and criteria for recommending new strategies to be considered for MIDD II. In June 2016, the Executive transmitted the comprehensive historical review, assessment of MIDD I⁸, and a proposal to continue collections for another nine-year term starting in 2017.⁹ In August 2016, Council adopted Ordinance 18333 which continued the collection of the sales tax uninterrupted for another nine years and is set to expire January 1, 2026. In August 2016, the Executive transmitted the MIDD II service improvement plan (SIP) to guide MIDD II investments.¹⁰ The SIP was approved through Ordinance 18406 in November 2016 and will expire with MIDD II on January 1, 2026.

Ordinance 18407 (passed in conjunction with the SIP) revised the MIDD policy goals in King County Code. Chapter 4A.500.309 sets forth the MIDD II policy goals in King County Code that will expire January 1, 2026. These goals are to:

⁴ RCW 82.14.460

⁵ Ordinance 16077 established the MIDD Oversight Committee as an advisory body to the King County Executive and the Council.

⁶ Ordinance 18452

⁷ In October 2008, the Council adopted the MIDD Implementation Plan and the MIDD Evaluation Plan via Ordinance 16261 and Ordinance 16262.

⁸ Motion 14712 was adopted September 2016

⁹ Ordinance 18333

¹⁰ Ordinance 17998 also required a progress report in the interim on the status of the SIP and historical review and assessment.

1. Divert individuals with behavioral health needs from costly interventions such as jail, emergency rooms and hospitals;
2. Reduce the number, length and frequency of behavioral health crisis events;
3. Increase culturally-appropriate, trauma-informed behavioral health services;
4. Improve the health and wellness of individuals living with behavioral health conditions; and
5. Explicit linkage with, and furthering the work of, King County and community initiatives.

King County MIDD Revenue History. From 2008 through 2025, MIDD is currently projected to generate more than \$1.15 billion as summarized in Table 1.

Table 1.
MIDD Annual Revenue 2008-2025 with Percentage Change
Data from the Office of Economic and Financial Analysis (OEFA)

	Year	MIDD Revenue	Percentage Change
MIDD I	2008	\$35,564,904	-
	2009	\$41,773,812	17.46%
	2010	\$40,717,980	-2.53%
	2011	\$43,099,478	5.85%
	2012	\$45,000,360	4.41%
	2013	\$48,298,263	7.33%
	2014	\$52,286,424	8.26%
	2015	\$57,487,559	9.95%
	2016	\$61,399,254	6.80%
MIDD II ¹¹	2017	\$64,979,114	5.83%
	2018	\$71,198,452	9.57%
	2019	\$74,773,247	5.02%
	2020	\$70,393,210	-5.86%
	2021	\$82,602,624	17.34%
	2022	\$90,416,789	9.46%
	2023	\$91,971,205	1.72%
	2024	\$91,887,621	-0.09%
	2025	\$92,579,683	0.75%
		\$1,156,429,979	Total Projected Collections

¹¹ Includes data from the July 2025 OEFA Forecast.

Since its inception, MIDD has supported new and expanded behavioral health programs as allowed under state law including King County Adult and Juvenile Drug Courts, Family Treatment Court, Regional Mental Health Court, Community Court, and Seattle Municipal Treatment Courts, as well as Law Enforcement Assisted Diversion (LEAD), Geriatric Regional Assessment Team, Mental Health First Aid, Next-Day Crisis Appointments, Children's Crisis Outreach Response System, the Recovery Café, Behavioral Health Services in Rural King County, and Community-Driven Behavioral Health Grants for Cultural and Ethnic Communities. A complete list of MIDD II Strategies and Initiatives can be found at this webpage: <https://kingcounty.gov/en/dept/dchs/human-social-services/community-funded-initiatives/midd-behavioral-health-tax/initiatives>

MIDD II Impacts. According to a memo attached to the transmittal letter for Proposed Ordinance 2025-0212, more than 100,000 King County residents have received MIDD-funded services during MIDD II, with more than 20 new initiatives implemented during this timeframe, including, “next-day appointments for substance use disorder assessment, creating additional mobile crisis teams in south King County, and expanding School-Based Screening, Brief Intervention, and Referral to Treatment/Services.” According to the memo, MIDD data “suggests that through MIDD programs, participants are receiving the support they need to achieve or maintain their recovery in their communities.” Furthermore, MIDD participants three years after their enrollment had 67 percent fewer engagements with publicly funded crisis services, 36 percent episodes of hospitalization and involuntary treatment, 62 percent bookings into King County and municipal jails, and 33 percent emergency department visits.

ANALYSIS

Proposed Ordinance 2025-0212 would extend the MIDD sales tax for another nine-year period (2026-2034). If passed, MIDD III revenue collections are currently expected to generate more than \$1 billion according to the July 2025 OEFA Forecast.¹² The increase in projected revenue is due to factors including inflation and the 2025 state legislative sales tax expansion.

Update for 9/10 Staff Report: Proposed Ordinance 2024-0212, *as amended*, passed out of the *Budget and Fiscal Management* Committee on August 27, 2025, with a “Do Pass” recommendation. The *transmitted legislation* was amended in the *BFM* Committee with a *technical amendment* to add the word “additional” on line 29 so that the ordinance correctly refers to the MIDD tax as an “additional” sales and use tax.

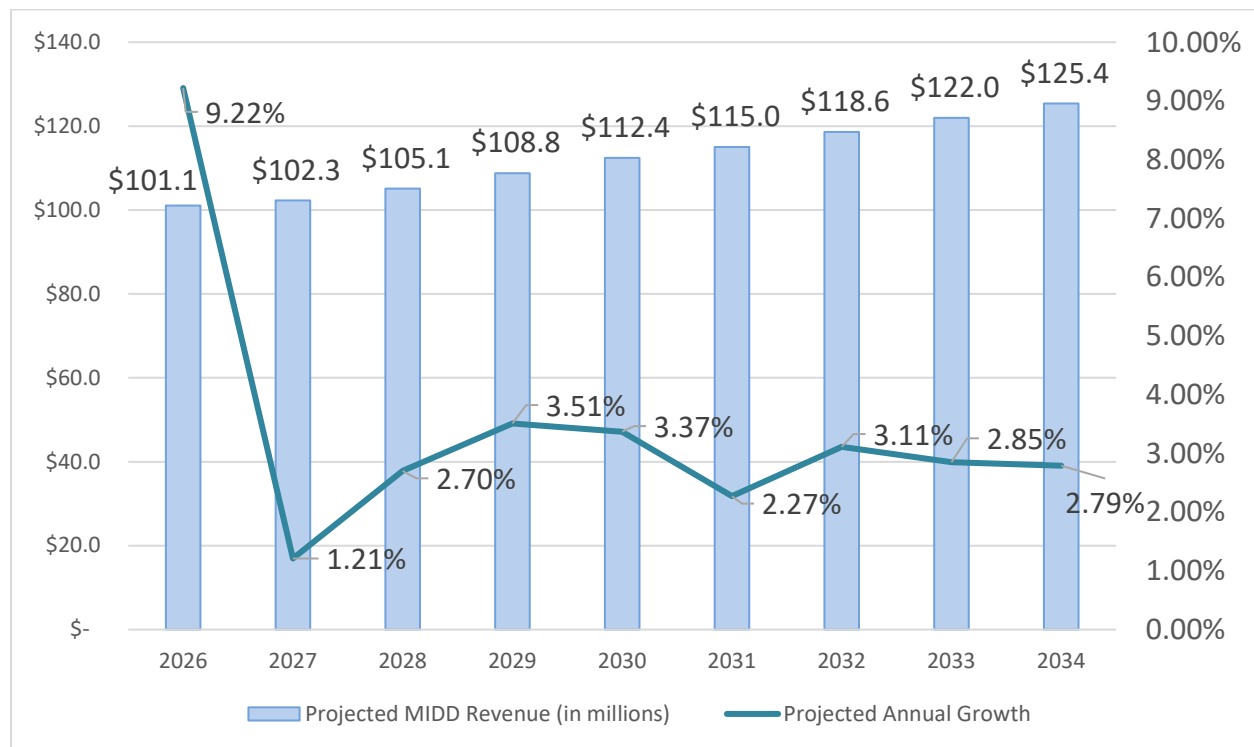
2025 State Legislative Sales Tax Expansion. In 2025, the Washington State Legislature adopted ESSB 5814, which broadens the sales tax base to include some services not previously included such as information technology support, temporary

¹² July 2025 OEFA Forecast https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/forecasting/documents/july2025_pdf.pdf?rev=6abcfdb918314a40a3c82d9f0de6ea14&hash=7B796FB39494EB5CEA00BBB043DB3F8D

staffing, and digital advertising services.¹³ Many of these services are concentrated within King County and are therefore expected to result in increased sales tax collections as is demonstrated in the July 2025 OEFA forecast.

Currently projected revenue and annual growth for MIDD III are summarized in Table 2.

Table 2.
Projected MIDD III Annual Revenue 2026-2035 with Annual Growth Rate
Data from the Office of Economic and Financial Analysis (OEFA)



Growth Rate. Tables 3 and 4 provide a comparison of the average annual growth rate between MIDDs I and II, and projections for MIDD III. This comparison demonstrates that while the sum of more than \$1 billion projected to be generated in 2026-2034 is almost the same amount of revenue generated from the last 18 years, the growth rate itself is slowing from almost 8.9 percent per year between MIDD I and II, to only a 2.7 percent per year future growth rate for MIDD III. OEFA's Chief Economist, Lizbeth Martin-Mahar, has stated that without the expanded sales tax base provided by the State Legislature in 2025, the July 2025 forecast would have been lower for MIDD by approximately \$6.9 million in 2026 alone, resulting in only a 1.8 percent annual growth from 2025 to 2026 instead of the 9 percent currently projected for 2026. Furthermore, she indicates that the future projections of MIDD on an annualized basis are sizably less than the long-term historical growth of \$3.2 million or 8.9 percent per year.

¹³ SB 5814 - 2025-26, *Modifying the application and administration of certain excise taxes*.
<https://app.leg.wa.gov/billsummary/?BillNumber=5814&Year=2025&Initiative=false>

Table 3. OEFA Comparison of MIDD Entire History with Projections for MIDD III

Time Period	MIDD Revenue (in millions)
MIDD I & II (2008-2025)	
2008	\$35.56 million
2025	\$92.89 million
Historical Growth (\$) for 18 years	\$57.33 million / \$3.2 million per year
Historical Growth (%) for 18 years	161.2% / 8.9% per year
MIDD III Projections (2026-2034)	
2026	\$101.11 million
2034	\$125.36 million
Future Growth (\$) for 9 years	\$24.25 million / \$2.7 million per year
Future Growth (%) for 9 years	24.0% / 2.7% per year

Table 4. OEFA Comparison of MIDD II with Projections for MIDD III

Time Period	MIDD Revenue (in millions)
MIDD II (2017-2025)	
2017	\$64.98 million
2025	\$92.89 million
Historical Growth Rate (%) for 9 Years	42.9% / 4.8% per year
MIDD III Projections (2026-2034)	
2026	\$101.11 million
2034	\$125.36 million
Future Growth Rate (%) for 9 years	24.0% / 2.7% per year

Notable Expiring Components of MIDD II. The following components of MIDD II described in KCC 4A.500 are set to expire with the current tax on January 1, 2026:

1. Policy Goals;
2. Service Improvement Plan governing expenditures;
3. Evaluation Plan, including annual reporting requirements; and
4. Binding partnership agreement and requirements¹⁴.

These components were not included in the transmitted legislation for MIDD III and are not required to extend the tax. The Statement of Facts of Proposed Ordinance 2025-

¹⁴ KCC 4A.500.330 requires that no contractor providing \$3 million or more of services annually to the County can receive MIDD revenue unless it has a partnership agreement with a labor organization.

0212 indicates that the Executive is preparing to transmit an updated implementation plan in 2026 to guide future investments for the MIDD III period. Previously, Executive staff indicated that the estimated transmittal date would be June 30, 2026. Executive staff now state that the incoming County Executive may wish to issue a new timeline for the transmittal and that, “it is the intention that the existing implementation plan would govern spending until a new implementation plan is adopted by the Council.” Councilmembers may wish to consider adopting separate legislation to extend and/or update any of the four components listed above rather than wait for transmittal of a new implementation plan. On August 20, 2025, Executive staff notified Council staff of the Executive’s intent to transmit legislation with the budget to continue the MIDD II SIP until a new implementation plan is adopted in 2026.

Timeline. If the Council chooses to extend the MIDD expiration date, the Department of Revenue requires notification by October 18, 2025, to allow for uninterrupted collections. This would require action on the proposed ordinance by the Full Council no later than its October 7 regular meeting, or as an emergency at the October 14 meeting. Table 5 outlines the current legislative schedule for the Proposed Ordinance. Note that the Executive has requested that Proposed Ordinance 2025-0212 be taken up in September so the tax revenue can be assumed in the Executive’s proposed 2026-2027 biennial budget.

Table 5. Legislative Schedule for Proposed Ordinance 2025-0212

Action	Committee/ Council	Date	Amendment Deadline
Submitted to Clerk	-	July 10	-
Introduction and Referral	Full Council	July 22	-
Briefing <i>(BFM in control)</i>	Special RPC	August 20	-
Discussion Only	Special BFM	August 21 Cancelled	-
Action	BFM	August 27	Striker direction: August 20 Striker distribution: August 22 Line AMD direction: August 25
Action	RPC	September 10	Striker direction: September 3 Striker distribution: September 5 Line AMD direction: September 8
Final Action – If expedited	Full Council	September 16	Striker direction: September 9 Striker distribution: September 11 Line AMD direction: September 14
Final Action Regular Course	Full Council	September 23	Striker direction: September 16 Striker distribution: September 18 Line AMD direction: September 21
DOR Notification Deadline	-	October 18	-

Council's legal counsel has reviewed the legislation and raised no legal issues.

INVITED

- Susan McLaughlin, Director, Behavioral Health and Recovery Division, Department of Community and Human Services (DCHS)

ATTACHMENTS

1. Proposed Substitute Ordinance 2025-0212.2, as passed BFM on 8/27/25
2. Transmittal Letter (and its attachment, Memo: King County MIDD Impacts)
3. Fiscal Note



Signature Report

Ordinance

Proposed No. 2025-0266.1

Sponsors Dunn, Balducci, Perry and
Zahilay

AN ORDINANCE relating to contract management and
compliance monitoring protocols for the department of
community and human services; and amending Ordinance
11955, Section 5, as amended, and K.C.C. 2.16.130.

PREAMBLE:

1. On August 25, 2025, the King County auditor's office produced an
audit report titled Department of Community and Human Services Needs
to Strengthen Financial Stewardship, outlining the department's contract
management practices for youth programs from 2022 to 2025.

2. The department has awarded more than \$1.5 billion in grant funding in
2023 and 2024 combined, up from \$22 million in 2019 and 2020.

3. Amid rapid growth in grant funding, the department of community and
human services took on greater financial risk as a strategy to reduce
contracting barriers among organizations with limited government
experience.

4. The auditor's office found that the department could do more to
manage its financial risk of these programs by applying internal controls
more consistently.

19 5. The audit report revealed gaps in several areas including enforcement
20 of contract terms, validation of invoices, and communication of
21 expectations to staff and grantees.

22 6. The report noted that the department runs its own procurement
23 processes to award these funds, resulting in contracts known as
24 community grants. Unlike other contracts, community grants are outside
25 the scope of King County's central procurement group, limiting
26 independent oversight. In this environment, the department of community
27 and human services faces a higher risk of fraud, waste, and abuse as it
28 allocates public funds.

29 7. The King County council is dedicated to supporting the department of
30 community and human services's commitment to safeguarding public
31 resources, by creating legislation that will provide more tangible measures
32 to strengthen that work.

33 8. Ten recommendations were mentioned in the county auditor's report
34 that highlight where improvements can be made and how they should be
35 addressed.

36 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

37 SECTION 1. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.130 are
38 each hereby amended to read as follows:

39 A.1. The department of community and human services is responsible to manage
40 and be fiscally accountable for the children, youth, and young adults division, the
41 behavioral health and recovery division, the developmental disabilities and early

childhood supports division, the adult services division, and the housing and community development division.

2.a. As part of its fiscal stewardship responsibility, the department shall develop, document, implement, and adhere to best practices regarding contract management and compliance monitoring, including, but not limited to, the department's current contract compliance monitoring policy to ensure that publicly-administered moneys are being used in a manner consistent with contract terms and conditions.

b. The department shall at least annually perform a risk assessment of its contract agencies receiving county-administered moneys and, in addition to general contract management and compliance monitoring activities, perform an in-person site visit of each contract agency at least once every three years. Site visits conducted in response to a complaint of suspected fraud, waste, or abuse of public moneys shall be prioritized by the department for scheduling and initiated as soon as possible.

B. The duties of the children, youth, and young adults division shall include the following:

1. Working in partnership with communities and other funders to develop, support, and provide human services that emphasize prevention, early intervention, and community education, and that strengthen children, youth, young adults, families, and communities in King County; and

2. Managing programs that promote healthy childhood development, enhance youth resiliency, reduce justice system involvement, strengthen families and communities, and ensure all children, youth, and young adults have the opportunity to

64 achieve their full potentials. The division shall also provide staff to support the King
65 County children and youth advisory board.

66 C. The duties of the behavioral health and recovery division shall, subject to
67 available resources and to its exercise of discretionary prioritization, include the
68 following:

- 69 1. Managing and operating a comprehensive continuum of behavioral health
70 services including prevention, mental health, substance use disorder, and co-occurring
71 disorder treatment services for children, youth, and adults who meet eligibility criteria;
- 72 2. Managing and operating a twenty-four-hour crisis response system, including
73 civil commitment as a last resort;
- 74 3. Selecting appropriate agencies for the provision of behavioral health services
75 and developing, implementing, and monitoring the provision and outcomes of contracted
76 services;
- 77 4. Being responsible for resource management of a comprehensive behavioral
78 health system including provision of staff support to appropriate advisory boards, and
79 serving as liaison to federal, state, and other governments and relevant organizations in
80 carrying out planning and allocation processes;
- 81 5. Facilitating the continuing availability of appropriate treatment services for
82 eligible individuals with a diagnosis of a mental illness, substance use, or co-occurring
83 disorder; and
- 84 6. Developing and maintaining a continuum of appropriate treatment services
85 for eligible individuals.

86 D. The duties of the developmental disabilities and early childhood supports
87 division shall include the following:

- 88 1. Managing and operating a system of services for infant mental health, early
89 childhood development screening, and a system of services for persons with
90 developmental disabilities in accordance with relevant state statutes and county policies
91 and to provide staff support to the King County board for developmental disabilities; and
92 2. Negotiating, implementing, and monitoring contracts with community
93 agencies for the provision of developmental disabilities and early childhood support
94 services.

95 E. The duties of the adult services division shall include the following:

- 96 1. Working in partnership with communities to develop, support, and provide
97 human services and programs that emphasize health and safety, self-sufficiency, and
98 healthy aging. The programs are to include, but not be limited to, providing employment
99 and training for adults to achieve self-sufficiency, providing supports to survivors of
100 abuse and trauma, and providing health, socialization, and wellness services to promote
101 healthy aging in place;

- 102 2. Providing assistance to indigent veterans and their families as authorized by
103 chapter 73.08 RCW; and

- 104 3. Providing staff support for the women's advisory board as specified in K.C.C.
105 2.30.040 and for the veterans, seniors, and human services levy advisory board and its
106 committees consistent with state and county requirements.

107 F. The duties of the housing and community development division shall include
108 the following:

109 1. Managing programs that address housing and community development needs,
110 and helping implement improvements identified in subarea and neighborhood plans for
111 low-and-moderate income communities;

112 2. Administering the county's federal housing, homelessness, and community
113 development moneys and other housing, homelessness, and community development
114 moneys;

115 3. Developing housing, homelessness, and community development policies and
116 programs to implement the growth management policies throughout King County to
117 provide affordable housing to low-and moderate-income residents; and

118 4. Providing staff support for the renter's commission as specified in K.C.C.
119 chapter 2.150.

120 SECTION 2. The department of community and human services shall offer, by
121 no later than March 31, 2026, to provide a briefing to the committee of the whole, or its
122 successor, to update the committee on the status of the department's contract management

- 123 and compliance monitoring activities, including, but not limited to, activities initiated
124 consequent to any recommendations from the King County auditor's office.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: None



Signature Report

Motion

Proposed No. 2025-0220.1

Sponsors Barón

1 A MOTION acknowledging receipt of a plan for use of the
2 west wing of the King County Correctional Facility as an
3 area to provide alternatives to secure detention services as
4 required by the 2025 Annual Budget Ordinance, Ordinance
5 19861, Section 54, Proviso P2.

6 WHEREAS, the 2025 Annual Budget Ordinance, Ordinance 19861, Section 54,
7 Proviso P2, requires the executive to transmit a plan for use of the west wing of the King
8 County Correctional Facility as an area to provide alternatives to secure detention
9 services, accompanied by a motion that should acknowledge receipt of the applicable
10 plan, and

11 WHEREAS, Ordinance 19861, Section 54, Proviso P2, states that the plan and the
12 motion should be transmitted no later than June 30, 2025, and

13 WHEREAS, Ordinance 19861, Section 54, Proviso P2, provides that \$100,000
14 shall not be expended or encumbered until the executive transmits both the plan and the
15 motion, and the motion acknowledging receipt is passed, and

16 WHEREAS, upon passage of the motion, \$100,000 shall be released for
17 expenditure or encumbrance, and

18 WHEREAS, the council has acknowledged receipt of the plan transmitted by the
19 executive;

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

21 The receipt of a plan for use of the west wing of the King County Correctional
22 Facility as an area to provide alternatives to secure detention services, entitled King
23 County Department of Adult and Juvenile Detention Use of the West Wing of the King
24 County Correctional Facility to Provide Alternatives to Secure Detention, Attachment A
25 to this motion, is hereby acknowledged in accordance with 2025 Annual Budget
26 Ordinance, Ordinance 19861, Section 54, Proviso P2.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: A. Use of the West Wing of the King County Correctional Facility to Provide
Alternatives to Secure Detention Services, July 2025

**Use of the West Wing of the King County Correctional Facility
to Provide Alternatives to Secure Detention Services**

July 2025



King County

Table of Contents

II.	Proviso Text.....	3
III.	Executive Summary	4
IV.	Background.....	6
V.	Plan Requirements	8
	A. A discussion of the feasibility and advantages of using all or a portion of the west wing of the King County Correctional Facility and other facilities to provide a "side door" alternative space to bring people with behavior health needs arrested for non-violent misdemeanor offenses, as an alternative to booking them into jail, including consideration of whether the space should be secure, and the feasibility of co-locating the facility with the homeless shelter currently occupying the west wing;.....	8
	Feasibility Analysis of using all or a portion the West Wing for Side Door	9
	Advantages of WW for Side Door.....	11
	Secure vs. Non-Secure Consideration	11
	Feasibility of co-locating services with the shelter currently occupying the West Wing.....	12
	B. A discussion, in collaboration with the behavioral health and recovery division, of the types of services that could be provided on-site, including assessments, therapy, medication assisted treatment, and case management, and how those services might be administered through existing or new alternatives to detention and diversion programs, and consideration of whether currently available on-site services and case management at the site could be used as a shared resource for the homeless shelter and "side door";.....	12
	Types of Services	12
	Administration of Services through Existing or New Alternatives to Detention.....	13
	C. Projection of the number of people likely to be served by the "side door" and the capital and operating resources that would be needed to implement the plan.	15
	D. Identification of potential funding sources to implement the plan, including use of the \$2,000,000 expenditure reserve in the Mental Illness and Drug Dependency Fund set aside for supporting changes to the future use of the west wing; and.....	15
	E. Identification of the timeline and next steps to implement.....	16
VI.	Conclusion	16
VII.	Appendix A MID Financial Plan.....	17

I. Proviso Text

Ordinance 19861, Section 54, Department of Adult and Juvenile Detention, P2¹

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits a plan for use of the west wing of the King County Correctional Facility as an area to provide alternatives to secure detention services and a motion that should approve the plan, and a motion acknowledging receipt of the plan is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion.

The plan shall include, but not be limited to:

A. A discussion of the feasibility and advantages of using all or a portion of the west wing of the King County Correctional Facility and other facilities to provide a "side door" alternative space to bring people with behavior health needs arrested for non-violent misdemeanor offenses, as an alternative to booking them into jail, including consideration of whether the space should be secure, and the feasibility of co-locating the facility with the homeless shelter currently occupying the west wing;

B. A discussion, in collaboration with the behavioral health and recovery division, of the types of services that could be provided on-site, including assessments, therapy, medication assisted treatment, and case management, and how those services might be administered through existing or new alternatives to detention and diversion programs, and consideration of whether currently available on-site services and case management at the site could be used as a shared resource for the homeless shelter and "side door";

C. Projection of the number of people likely to be served by the "side door" and the capital and operating resources that would be needed to implement the plan.

D. Identification of potential funding sources to implement the plan, including use of the \$2,000,000 expenditure reserve in the Mental Illness and Drug Dependency Fund set aside for supporting changes to the future use of the west wing; and

E. Identification of the timeline and next steps to implement the plan.

The executive should electronically file the plan, and a motion required by this proviso by June 30, 2025, 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 and justice or its successor.

¹ Ordinance 19861, Section 54, DAJD, P2, p26-27 [LINK](#)

II. Executive Summary

This document was developed in response to Ordinance 19861, Section 54, P2. The Proviso calls for a plan for use of the west wing of the King County Correctional Facility as an area to provide alternatives to secure detention services.

The Department of Adult and Juvenile Detention (DAJD) operates two adult secure detention facilities: the King County Correctional Facility (KCCF) in Seattle, and the Maleng Regional Justice Center (MRJC) in Kent. As of April 1, 2025, KCCF housed approximately 56 percent of all residents (804), while the MRJC housed the other 44 percent (642). KCCF is also DAJD's primary intake location, where 90 percent of the 14,092 adult bookings took place in 2024.

KCCF is a building with an 11-floor main tower, and a seven-floor western tower referred to as the west wing (WW). The WW is an integrated part of KCCF. All floors above the first floor are occupied and used by DAJD. The second and third floors remain in use as resident housing and supports the department's management of its population and operations with resident workers.² Following a \$2 million renovation which included security modifications, the first floor of the WW was turned over to DCHS to operate a homeless shelter.

The first floor of the WW space is used for as a contracted homeless shelter and as office space used by contracted staff and Jail Health Services (JHS) Release Planning. The shelter operates under contract of the King County Regional Homelessness Authority with the Downtown Emergency Service Center (DESC), a nonprofit organization. The shelter focuses on helping those with the greatest and most acute needs. Services provided include behavioral health treatment, housing counseling, and employment services. DESC specifically reaches out to people who have been living unsheltered for long periods of time and/or to those with mental health or substance use needs. The shelter can accommodate up to 40 people and generally operates at 95 percent of capacity, or roughly 38 beds, year-round. In 2024, 127 unique persons were served, for a total of 14,640 bed nights and an average length of stay (ALOS) of 154 days. Performance measures are required under contract and have been consistently met.

Office of Performance, Strategy, and Budget (PSB) staff convened individual and group stakeholder discussions to develop this Proviso response with representatives from DAJD, DCHS, the King County Sheriff's Office (KCSO), Prosecuting Attorney's Office (PAO), Department of Public Defense (DPD), Seattle Police Department (SPD), the Seattle Mayor's Office, State Department of Corrections (DOC), the courts, and diversion programs. In these discussions, many partners expressed concerns about making the side door a locked, or involuntary program; dislocating the functioning shelter beds or JHS Release and Coordinated Discharge services on the first floor of the WW; and concerns about the amount of time and funding it would take to replace this capacity at a different location. Partners emphasized the importance of utilizing existing, available diversion programs, such as the King County Crisis Solution Center, and encouraged more focus on existing programs. In addition, new alternative treatment and shelter options that serve individuals with acute behavioral health needs are or will soon be available, such as DESC's Opioid Recovery & Care Center (ORCA) Center and Stability Through Access and Resources (STAR) Center, and a Crisis Care Center in the Central Zone covering Seattle and Vashon.

² Resident workers are incarcerated persons who perform a number of tasks which support operations within the secure perimeter of DAJD adult detention facilities, such as resident meal preparation or laundry (under the supervision of DAJD staff) and cleaning of common areas outside of housing units.

As considered for this report, the side door program would be a non-secure alternative to booking to jail where law enforcement could divert amenable persons with low level, nonviolent offenses. The side door space would be operated by a licensed behavioral health agency that would receive and assess immediate needs and as appropriate, provide up to five nights of shelter and coordinated case management including transporting the individual to the facility best prepared to address identified needs.

This report explores the potential to renovate and repurpose storage space used by DESC for the first-floor shelter to create side door services. Currently, the secure-storage space is in use by DESC, necessary for clients and program staff. It provides space for client belongings, program supplies, client laundry, and overflow space that is used to accommodate pets and service animals. With renovation, this storage space could be repurposed to provide beds for up to 16 adult males for a 24/7 side door program. Because the storage space is essential for shelter operations, repurposing it while keeping the shelter would require finding alternative space for client storage and program supply or reducing the number of shelter beds.

By adding 12-16 single beds in the identified renovated and repurposed storage space on the first floor and assuming an average length of stay of five days, the space could potentially accommodate 600-800 admits per year at an estimated annual operating cost of \$1.5 million per year. For planning purposes, the Facilities Management Division of the Department of Executive Services (DES) provided an initial estimate of \$700,000 for renovations to WW space for the side door build out. This estimate does not include start up materials, furnishings or staff support infrastructure, or the cost to restructure the shelter's storage and laundry use. Reserved MIDD Behavioral Health Sales Tax funds could be used for initial capital and operating costs as long as the services focus on serving individuals behavioral health needs. Medicaid reimbursements are also anticipated to eligible services, though notably, Medicaid reimbursements do not fully cover the cost of providing services. Additional funding would be necessary over time.

During the development of this report, two subject areas were identified by stakeholders which require further analysis. The topics for further work are summarized below:

- *Legal/statutory feasibility analysis on developing and implementing an involuntary, secure side door program.* While this report notes that most stakeholders consulted for the Proviso response coalesced around creating a voluntary side door program, some interested parties hold that the side door program should be a locked facility implemented as secure alternative to jail. Further analysis is needed in this area to inform policy decisions around the side door program.
- *Consider the concentration of human services downtown Seattle and Pioneer Square.* Some stakeholders have noted that the area around KCCF in downtown Seattle/Pioneer Square neighborhood has a high concentration of human services. Given the existing constraints of the WW, its use as a shelter, and the potential additional services offered through a new Crisis Care Center on Capitol Hill, policymakers and stakeholders may wish to reexamine the concept of locating a side door program in the downtown Seattle Pioneer Square neighborhood.

Analysis on the two topics above directly impact development of a plan for use of the WW as an area to provide alternatives to secure detention services via a side door program. Consequently, this report does not include a specific timeline to implement a plan for the side door program.

This report identifies two areas for further work to inform policymaker decisions around developing and implementing a side door program: legal feasibility analysis for creating a secure alternative to jail and location of a side door program outside of the downtown Seattle/Pioneer Square area. These next steps should be undertaken in collaboration with stakeholders, the County Executive, and the King County Council.

III. Background

Department Overviews:

DAJD operates three secure detention facilities and community supervision programs for pre- and post-trial defendants throughout King County. The two adult secure detention divisions are the Seattle Division and the Kent Division. The Seattle Division operates the KCCF, and the Kent Division operates the secure detention portion of the MRJC. In 2024, the combined average daily population of both adult detention facilities was 1,407.

The mission of DAJD is to provide in-custody and community-based services that are data-informed, advance safety, lead system change, and promote equitable outcomes for the people served. The department's priorities include ensuring the safety and security of staff and residents, managing operational risks, strengthening community connections, promoting opportunities to humanize the people in the facilities and programs, and recruiting, developing, supporting, and retaining staff. *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 and transparency, and integrating strategic planning, business planning, resource allocation, and continuous improvement into a systematic approach throughout the County.

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, the Best Starts for Kids levy, the MIDD behavioral health sales tax fund), the Health Through Housing sales tax, and the Puget Sound Taxpayer Accountability Account (PSTAA), along with other state and federally directed revenues.^{3, 4, 5, 6, 7}

Key Context: The KCCF is located downtown Seattle, occupying a square block between 5th and 6th Avenues and Jefferson and James Street. It is an integrated structure with a central "tower" and a subordinate, shorter wing of the building known as, "the west wing" (WW). The KCCF WW has seven floors adjoining the tower with eleven floors.

³ Veterans, Seniors, and Human Services Levy [\[LINK\]](#)

⁴ King County Best Starts for Kids initiative [\[LINK\]](#)

⁵ MIDD behavioral health sales tax fund (MIDD) [\[LINK\]](#)

⁶ Health Through Housing sales tax [\[LINK\]](#)

⁷ Puget Sound Taxpayer Accountability Account [\[LINK\]](#)

The first floor of the WW was utilized by the DCHS to operate a shelter for unhoused individuals beginning in March 2019. The change in space use required substantial renovations, including upgrades to facility internal systems, new sinks and other plumbing fixtures, new fiber optic cables, paint, laundry, and other improvements, as well as removing security equipment and signage. Access to the elevator leading up to secure areas of the WW was restricted. The renovation was completed in 2019 at a cost of approximately \$2 million.

To facilitate the opening of the new shelter, DAJD workspace on the first floor of the WW that had been used for things like training, volunteers, and partners agencies were moved to the fourth floor. In 2020, in response to the COVID-19 global pandemic, and the need to distance jail residents from each other as much as possible to slow the spread of the disease, DAJD re-opened the second and third floors of the WW to resident housing. The second and third floors of the WW are dormitory style housing units, with eight dormitories on the second floor and six on the third connected by an open stairway. The third floor can only be accessed by stairs; there is no elevator leading to the third floor. The dorms on the second and third floors have a combined capacity of up to 224 residents when fully open and operational.

Currently, the first floor of the WW space is divided into two areas: King County Regional Homelessness Authority contracted homeless shelter on the larger east side of the space; and office space used by contracted staff and JHS Release Planning in the remaining areas. DAJD occupies floors two through four for resident housing, staff offices, community partner work and meeting space, training, and staff fitness and rest areas, as noted below.

DCHS Homeless Shelter (1st Floor) - Since inception, the shelter has been operated under contract with DESC.⁸ The contract with DESC is administered by the King County Regional Homelessness Authority, and DESC is required to provide performance measures to DCHS. The shelter serves an important role in reducing unsheltered homelessness for the 16,868 individuals experiencing homelessness in King County per the 2024 “Point-in-time Count” per King County Regional Homelessness Authority. The shelter can accommodate up to 40 people and generally operates at 95 percent of capacity, or roughly 38 beds, year-round. In 2024, 127 unique persons were served, for a total of 14,640 bed nights, with an average length of stay (ALOS) of 154 days. Based on the 2024 annual contract amount, the cost per available bed night was \$133.52. The 2025 contracting costs of operating the shelter are \$2.04 million and is funded solely by King County. Performance measures are required under contract and have been consistently met.

The shelter focuses on helping those with the greatest needs who traditionally have the most acute needs. Services provided include behavioral health treatment, housing counseling, and employment services. DESC specifically reaches out to people who have been on the streets the longest, and/or to those with mental health or substance use needs. The shelter designated as a “low barrier” shelter, meaning sobriety is not a behavioral expectation to stay, although consuming or possessing alcohol or other drugs on site is prohibited. Clients come and go at will but are required to utilize their bed at least four nights out of the week, and engage in activities, case management, and services, which may include medical and mental health wrap-around care.

JHS Release Planning (1st Floor) - Release planning and coordinated discharge services are offered by JHS staff currently occupying the first floor of the WW. JHS release planning and coordinated discharge staff serve an average of seven individuals per day but report an expected increase of up to 18 patients

⁸ <https://www.desc.org/>

per day by the end of 2025, as expanded hours are achieved under a new Coordinated Discharge initiative funded by the County's MIDD sales tax. The Office of Performance, Strategy and Budget is working closely with JHS to ensure adequate space is available for services and program needs.

DAJD Operations (2nd - 7th Floors) - All floors above the first floor of the WW are occupied by DAJD and necessary for operations. The second and third floors are resident housing, particularly for resident workers, and are essential to management of the population. As previously noted, the second and third floors have a combined capacity of up to 224 residents when fully open and operational. DAJD is in the midst of substantial facility work to retrofit the bunk beds in the WW to eliminate potential ligature tie-off points and therefore reduce the risk of suicide in these housing areas. The retrofitting is being completed dorm by dorm, meaning that at any one time, one or more dorms may be offline for facility work.

The fourth and fifth floors house DAJD administrative and operational functions, including training space for new employee training, and includes specially equipped defensive tactics training rooms. It also includes officer fitness, briefing, and rest/sleeping spaces. The fourth floor is home to operationally necessary workspaces for volunteers, trainers, JHS, and Washington State Department of Social and Health Services competency evaluators. The KCCF JHS operated health clinic and infirmary are located on floors six and seven, respectively.

Plan Methodology: Staff from PSB, DAJD, and DCHS contributed to the development of this report.

PSB engaged in multiple conversations with agencies and systems partners to gather information to inform the contents of this Proviso response. PSB conducted interviews in February and March 2025 with department leadership and subject matter experts from PSB, DAJD, DCHS and DESC, King County Sheriff's Office (KCSO), King County Prosecuting Attorney's Office (PAO), King County Department of Public Defense (DPD), the Seattle Police Department (SPD), Washington State Department of Corrections (DOC), Harborview, the City of Seattle Mayor's Office along with community providers and persons with lived experience.

On March 17, 2025, a group meeting was held with more than 30 interested parties, and included partners listed above, as well as representatives Superior Court's Involuntary Treatment Court, the Washington State Department of Corrections (DOC), Evergreen Treatment Service, and Law Enforcement Assisted Diversion (LEAD).

PSB and DCHS engaged with DESC to discuss community needs, and review the shelter contract, service delivery, and performance measures for the shelter.

IV. Plan Requirements

- A. A discussion of the feasibility and advantages of using all or a portion of the west wing of the King County Correctional Facility and other facilities to provide a "side door" alternative space to bring people with behavior health needs arrested for non-violent misdemeanor offenses, as an alternative to booking them into jail, including consideration of whether the space should be secure, and the feasibility of co-locating the facility with the homeless shelter currently occupying the west wing;**

Feasibility Analysis of using all or a portion the West Wing for Side Door

Side Door Defined: This document considers the side door program as a non-secure alternative to booking to jail where law enforcement could divert amenable persons with low level, nonviolent offenses. The side door space would be operated by a licensed behavioral health agency that would receive and assess immediate needs and as appropriate, provide up to five nights of shelter and coordinated case management including transporting the individual to the facility best prepared to address identified needs. It would be a 24/7 non-secure alternative to jail booking.

Facility Overview: The WW is a fully integrated and important part of the overall jail system at KCCF, both operationally and architecturally. The feasibility of space use depends on whether the use is limited to the first floor, where investments have already been made in isolating the space from the rest of the secure facility, or whether it is intended to include additional floors.

The physical facility constraints are such that the WW cannot be detached from the rest of the jail building. The WW shares elevators, stairwells (including emergency evacuation stairwells), security electronics, and ingress and egress with the rest of the jail building. The infirmary and clinic are an integral part of the KCCF which sit on the top two floors of the WW and share all the core architectural functions of the secured area of the building, such as stairwells and elevators.

The non-secure shelter's use of the first floor is less problematic because the shelter only utilizes a single floor, requiring only horizontal access to the space. The first floor is segregated from the rest of the floors in the WW. If floors two, three, or four were to be used for a non-jail purpose, it would require vertical access to the building, which could not be segregated from jail use. For safety purposes, DAJD has strict access requirements and cannot allow incarcerated people to co-mingle with non-incarcerated people or uncleared staff. In an emergency situation, the only way out of the building for certain areas is through the WW. In addition, if the shelter continues to operate on the first floor, there is no alternative way to move people to the second, third, and fourth floors without transiting the first floor of the jail, through the shelter intake area. Finally, the third floor of the WW is only accessible by stairs, making it less accessible, and more challenging to segregate from the other floors for non-secure purposes.

Resident Worker Space: The second and third floors of the WW currently house resident workers. The open housing configuration provides greater freedom of movement, which helps incentivize voluntary participation in the resident worker program. To be a resident worker, the resident must be screened and determined to be low risk based on their incarceration history, charges, and other factors. As the population of the jail has shifted to include a higher percent of individuals with more serious charges, as well as those with more physical and behavioral challenges, a lower percentage of the population has been eligible to meet the criteria required to be a resident worker. It has become increasingly difficult to incentivize enough resident workers to support operations. Relocating these resident workers off the WW would likely mean the loss of an important incentive. Further, DAJD does not currently have other appropriate housing options for resident workers due to their work schedules. Resident workers report for their jobs at all hours of the day, and the WW is the only housing configuration in the KCCF where small units can be segregated such that residents can sleep at off hours from the schedule of the rest of the KCCF. Mingling resident workers with the rest of the KCCF population could impact workers struggling to get meaningful sleep while the rest of their units has lights on, and other residents were awake and moving around the housing units.

Floors Two and Three Facility Improvements: DAJD is in the midst of significant physical plant changes to the second and third floors to retrofit resident housing areas. This includes installation of new beds, tables and stools, in part pursuant to a 2024 settlement with the ACLU of Washington. These changes require fortification of walls. Jump barriers are also being installed on the third floor to further reduce the risk of harm to residents. The completed retrofit work is planned to cost between approximately \$2M and be finalized by Q4 2025.

Current DAJD WW Use: In addition to the resident housing space on floors two and three, laundry distribution occurs in this space. The fourth floor of the WW houses a number DAJD operations including space for program and administrative staff, resident library, training unit and classrooms, volunteer and religious programming office space, the employee gym, defensive tactics training room, and male and female officer sleeping spaces. Due to existing space constraints, there is no other location within the KCCF nor the MRJC footprint to relocate these services. In addition, it is not possible to move many of these functions outside the secure area, as they are relied on by corrections officers whose work is confined to the secure area (e.g. rest, fitness, and training areas must be accessible). Repurposing this space would displace DAJD staff and resident spaces, resulting in inefficiencies to day-to-day operations. There is also no other adequate available space for regular storage in the KCCF.

Adding additional services to any KCCF space other than the first floor of the WW would result in increased costs and a reduction to the number of shelter beds for those living unhoused. It would be disruptive to DAJD resident housing, day-to-day operations, and would eliminate necessary staff and training space. The provision of any behavioral health and medical services provided in total confinement (jail) cannot currently be billed to Medicaid and must be paid by the County.⁹ Additional analysis would be needed regarding potential labor implications in the event contracted provided services would overlap with current JHS services.

Ongoing DAJD staffing shortages, the anticipated historical increase in jail bed demand during the spring and summer months, along with the lack of ingress and egress for non-confined individuals to other WW floors are considerations for the use of those floors as side door space.

Repurposing Existing First Floor Space: Repurposing the existing shelter space would result in a loss of up to 40 shelter beds at a time when shelter bed capacity and availability is significantly less than the need in Seattle. Specifically, ending the contract would eliminate 40 shelter beds that have been meeting the needs of the community as evidenced by the 95 percent user rate and achievement of the performance expectations in the contract. It is a year-to-year contract and can be cancelled at the end of a calendar year. The next contract renewal date is December 31, 2025.

Because the first floor of the WW is currently utilized as a shelter, repurposing the space for side door services would require reinvesting in further capital improvement expenditures to the space that was recently rebuilt in 2019. The County would need to replace furnishings purchased by DESC and require technology improvements for wi-fi access.

Stakeholder Feedback: Discussions with representatives from PSB, DAJD, DCHS, KCSO, PAO, DPD, SPD and Seattle Mayor's Office, DOC, the courts, and diversion programs (stakeholders), indicated no interest in dislocating or losing the existing shelter beds, or losing the space for JHS release and

⁹ JHS participation in a potential Medicaid 1115 Waiver analysis is underway which may impact this rule in the future.

coordinated discharge services both of which are housed on first floor of the WW. Nor was there an expressed desire to expand services to other WW floors, and disrupt the space needed for DAJD and its partners.

Advantages of WW for Side Door

Location: The central location of the KCCF is a primary advantage in considering the use of the WW as a location for the provision of services and alternatives to detention. It is close to both County and City of Seattle services and a number of transit options, and close to I-5 making it relatively easy to access. The location is also ideal in circumstances where a participant can be referred to the space from first appearance hearings conducted at the jail. At the time of the writing of this report, the Executive is considering the siting of a Crisis Care Center in the Central Zone that is similarly centrally located.

In a follow-up to the March 17th meeting, PSB staff had a preliminary conversation with the DOC Office of Community Corrections about potentially contracting with King County for community-based jail booking diversion options for community corrections violators who are primarily struggling with behavioral health issues. DOC indicated interest in contracting with King County if its clients could also be diverted to the WW space, rather than being confined in a state prison for a short period of time. Because King County eliminated its contract with DOC at the beginning of the pandemic, a new agreement would need to be negotiated if King County was interested in pursuing this kind of a partnership. Additional analysis is needed to understand the implications of expanding side door use to DOC for King County, including implementing a full cost recovery model.

Existing Programs and Services: Stakeholder discussions included emphasis on utilizing existing available and planned behavioral health crisis diversion programs and whether the County's focus should be on better utilizing those programs. They also raised the questions of and why and how the WW location would be different from those programs and services. Discussions included the following points:

- King County residents benefit from increased service options for individuals who could be charged with non-violent, misdemeanor offenses especially when the individual's activities are related to behavioral health conditions. Expanding services provided in the WW could address some of this need. However, side door services may be duplicative of other facilities expected to open soon, including the ORCA Center and STAR Center operated by DESC and the Crisis Care Center for the Seattle/Central Zone.
- Law enforcement should be encouraged to consider a greater use of RCW 10.31.110 as an alternative to arrest, to transport persons in need to a crisis stabilization unit or crisis relief center, refer to a designated crisis responder for evaluation and initial detention and /or refer the individual, upon agreement, to voluntary participation in outpatient treatment. The enhanced WW services could help facilitate such utilization by law enforcement.
- Given that the WW is currently contracted to provide shelter and behavioral health services, enhancing the space to increase capacity for the diverted population and amending the DESC existing contract could potentially yield economies of scale for the current contractor (DESC), and King County. Further analysis is needed to identify specific economies of scale opportunities.

Secure vs. Non-Secure Consideration

Most stakeholders coalesced around the concept that the side door facility should be a non-locked (or non-secure) site. Legal concerns were raised by some stakeholders about a using a locked site for individuals who were not being held in custody because individuals remanded for involuntary services at a locked site would either need to be detained for involuntary treatment or booked in the jail for cause.

This is an area that requires further analysis, with cascading impacts on space, staffing, programs, and costs. Notably, a locked side door facility in the WW would require staffing by DAJD corrections staff, resulting in higher operational costs.

Some raised the concern of using a locked space in the WW would expand the use of secure detention and would work against the goals of diversion from jail and alternatives to secure detention. Stakeholders noted that research that shows confinement does not help persons in crisis and often exacerbates behavioral health issues and can lead to negative outcomes.¹⁰ Confinement is associated with increased mental health problems and is ineffective in stabilizing persons in crisis. Rather, evidence-based crisis stabilization and community support services are recommended to help those in need.^{11, 12}

Feasibility of co-locating services with the shelter currently occupying the West Wing

Facility limitations for existing useable space in the current first floor shelter footprint do not allow for co-locating of the shelter with side door services while assuring adequate service and separation of the populations served by each function. As reported by DESC, the shelter beds operate at 95 percent capacity. While one or two beds may be available at any one time, consistent with the National Registry of Evidence Based Practices, the mixing of the shelter population and persons in acute crisis is not a best practice. DESC reports that shelter clients do not have sobriety requirements and bringing persons in crisis into a shared space is contraindicated.

It is feasible for the existing storage space to be renovated for use as a non-secured space. It could serve up to 16 adult males for the provision of voluntary side door type services. Though the storage space is essential for shelter clients and operations DESC is open to exploring storage alternatives.

B. A discussion, in collaboration with the behavioral health and recovery division, of the types of services that could be provided on-site, including assessments, therapy, medication assisted treatment, and case management, and how those services might be administered through existing or new alternatives to detention and diversion programs, and consideration of whether currently available on-site services and case management at the site could be used as a shared resource for the homeless shelter and "side door";

Types of Services

The side door option that would expand the footprint and capacity of the shelter space that currently occupies the first floor of the WW is outlined in this and subsequent subsections of this report. The side door option in expanded space would coordinate with and support existing crisis services in the County rather than expanding to the upper floors of the WW or eliminating the DESC shelter.

In discussion with Behavioral Health and Recovery Division of DCHS, the types of services that are best suited for diversion may be eligible for Medicaid and provided on-site, through a contracted, licensed

¹⁰ Petersilla, Joan (2003) When Prisoners Come Home. New York: Oxford Press

¹¹ Vera Institute of Justice. (2021). *Beyond Jails: Community-Based Strategies for Public Safety*. New York City. <https://www.vera.org/beyond-jails-community-based-strategies-for-public-safety>

¹² Quandt, K.R. (2021, May 13). Incarceration Can Lead to Lasting Damage to Mental Health. *Prison Policy Initiative*. <https://www.prisonpolicy.org/blog/2021/05/13/mentalhealthimpacts/>

behavioral health provider. These services that could be covered under Medicaid include behavioral health assessments, individual/group therapy, medication assisted treatment, and case management.¹³

Conversations with DESC indicate DESC interest in continuing to provide the existing shelter services and are open to further conversations about adding additional services and beds if additional services are added to the WW footprint. Otherwise, further analysis is needed to determine whether a new contractor could accommodate the additional occupants and services.

Administration of Services through Existing or New Alternatives to Detention

A function of the case management services and individual assessments, provided by the side door contractor, would be to work with law enforcement, referral sources and other local providers to triage participants and provide. Such services also include direct, a warm handoff and transport to one of the many existing spaces and services in King County that would be best prepared to address the behavioral health needs of the proposed side door population, based on availability. These functions are similar to those of the planned Crisis Care Centers described above.

Below are service options available for this population.

The King County Crisis Solution Center was originally designed as an alternative to jail booking for persons in crisis. The facility is comprised of two programs: The Crisis Diversion Facility (CDF) and Crisis Diversion Interim Services (CDIS). Law enforcement doesn't need a referral to do a drop off at the Crisis Solution Center.

- **The Crisis Diversion Facility (CDF)** program accepts referrals from first responders including KCSO, SPD, and all other local city law enforcement agencies in King County. In addition, local fire department medical response units, County Designated Crisis Responders (DCRs), Hospital emergency departments (EDs), King County Emergency Service Patrol and Seattle Community Assisted Response and Engagement (CARE) may also make referrals. The CDF provides crisis stabilization services, with a capacity of 16 stabilization beds, for up to 72 hours of service. The CDF maintains a minimum 4:1 client to staff ratio and has 24 x 7 access to medical staff. In 2024, an average of 11 beds were occupied at any one time.
- **Crisis Diversion Interim Service** accepts referrals only from the CDF and maintains capacity for 30 interim respite beds with a maximum length of stay of 14 days.

The Crisis Solution Center has reported that law enforcement is currently underutilizing existing crisis diversion programs. It provides three days of services, followed by 14 days of voluntary stay-stabilization.

The Crisis Care Centers Initiative, approved by King County voters in April 2023, began in 2024 to create a countywide network of five crisis care centers (CCCs).¹⁴ They are intended to be a service entry point

¹³ Services provided at the current WW shelter include behavioral health treatment, housing counseling, and employment services, and case management services which may include medical and mental health wrap-around care. Medication for opioid use disorder (MOUD) is not provided.

¹⁴ <https://kingcounty.gov/en/dept/dchs/human-social-services/community-funded-initiatives/crisis-care-centers-levy>

for individuals and family members seeking behavioral health treatment and for law enforcement and other first responders as a diversion from emergency rooms and jail. These centers are envisioned to restore and expand mental health residential treatment beds and strengthen the community behavioral health workforce.

The nine-year levy also aims to promote continuity of care by linking 988, mobile crisis teams, and other behavioral health resources to support people's recovery. Persons in crisis including those with low-level criminal behavior are appropriate referrals. Post-crisis follow up can include additional support for up to 90 days in community with a link with behavioral health outpatient providers. Connections Health Solutions has been selected to operate the CCC for the North Crisis Response Zone at its facility in Kirkland. The CCCs will provide walk-in, behavioral health and urgent care. The Executive is currently considering a potential site for the Central Response Zone (Seattle) in the Capitol Hill neighborhood that could open as early as 2027.

King County Sheriff's Office Therapeutic Response Team is a progressive approach to law enforcement public safety which integrates mental health professionals with specially trained KCSO deputies to form co-responder teams with responsibilities that include de-escalation, crisis intervention, service referrals, and support for treatment processes.¹⁵

King County Designated Crisis Responders are called to meet with persons in a behavioral Health crisis at any location to evaluate the individual for involuntary treatment under RCW 71.05.153. Depending on the crisis, a person can be detained for up to 120 hours. Before being detained, typically individuals must be transported to a local emergency department for medical clearance with the support of law enforcement and the local ambulance service. Law enforcement involvement is authorized by RCW 71.05.153, but ambulance providers often require it as a precursor for providing transportation services. Once medical clearance is established by the local emergency department the remaining of the 120 hours could be served at an Evaluation & Treatment or Secure Withdrawal Management and Stabilization facility.

The ORCA Center, a new DESC service, will be opening in fall 2025 in the DESC Morrison space, which is located in downtown Seattle, across from the King County Courthouse, just a few blocks from the KCCF.¹⁶ Funding will come from multiple sources, including King County, and will serve persons with opiate overdoses with a 24-hour model of care for induction, and referral to services. Referrals can come from first responders. Twelve Medicaid funded beds will be available for persons enrolled in Medicaid.

The DESC's STAR Center (Stability Through Access and Resources) provides time limited, 24/7, behavioral health-focused non-congregate shelter. Participants may access services on a case-by-case basis for the amount of time necessary to achieve stabilization. Services focus on unsheltered adults facing significant untreated and undertreated challenges related to mental health and substance use disorders. The center will be located at Third Avenue and Cherry Street in downtown Seattle and will provide accommodation for up to 85 people nightly.

¹⁵ <https://kingcounty.gov/en/dept/sheriff/courts-jails-legal-system/sheriff-services/therapeutic-response-unit>

¹⁶ <https://www.desc.org/orca-center-will-provide-quick-stabilization-and-resources-following-overdose/>

The Sobering Center provides a safe space for people to sleep off the effects of acute alcohol or drug intoxication or opiate overdose.¹⁷ DCHS is securing a permanent location for a new sobering center in Seattle's SODO neighborhood. Expected to open in early 2026, this center will be available 24/7 to meet the growing needs of our community and connect more people to treatment, lifesaving interventions, and a path to recovery. It will be operated by Pioneer Human Services and be able to serve up to 40 people at a time.

C. Projection of the number of people likely to be served by the "side door" and the capital and operating resources that would be needed to implement the plan.

PSB staff estimates that by adding 12-16 additional single beds in the renovated storage space on the first floor of the WW, with an average length of stay of five days, it is anticipated the side door services could accommodate 600-800 admits per year. The five-day stay estimate is based on the assumption that participants would be referred to other programs and services outside of the WW. Longer lengths of stay would reduce the numbers served.

Commensurate with the existing DESC contracted shelter services for 40 beds costing \$1.1M annually, PSB estimates an annual operating cost for additional beds and required service coordination and case management with community-based providers would be \$1.5 million per year. According the BHRD, programmatic costs would increase with services such as withdrawal management or administration of medications for opioid use disorder. Detailed side door programmatic design would inform and potentially increase these costs.

For initial planning purposes only, King County Facilities Management Division of the Department of Executive Services provided a rough order of magnitude estimate of \$700,000 for enhancements to the WW storage space for this work. This estimate does not include start up materials, furnishings or staff support infrastructure, or storage and laundry replacement.

D. Identification of potential funding sources to implement the plan, including use of the \$2,000,000 expenditure reserve in the Mental Illness and Drug Dependency Fund set aside for supporting changes to the future use of the west wing; and

The 2025 financial plan for the MIDD Fund currently includes a \$2 million reserve that is set aside to support the future use of the WW. See Appendix A. Expenditures of MIDD revenue must align with the broad spending restrictions of the MIDD sales tax, which is for programs and services for people living with or at risk of behavioral health conditions. This reserve is subject to an Expenditure Restriction in the Adopted 2025 Annual Budget (Ordinance 19861) limiting this \$2 million of the MIDD fund to "... solely support changes to the west wing...".

PSB estimates that most of the build out, start up, and first year of contracting costs of a 16-bed, first floor WW side door program could be funded by the \$2 million reserved in the MIDD Fund. Leveraging Medicaid reimbursement for services would also help fund programming costs.¹⁸ However, because Medicaid funding does not cover the full cost of providing services, it is likely additional revenue would

¹⁷ <https://www.desc.org/star-center/>

¹⁸ DCHS notes that when a behavioral health bed isn't being used, local funding covers the gap between Medicaid and the total cost to operate.

be needed to sustain the program over time. Final design of side door programming will determine costs and revenue options.

E. Identification of the timeline and next steps to implement

During the development of this report, two subject areas were identified by stakeholders which require further analysis. Analysis on the two topics directly impact development of a plan for use of the WW as an area to provide alternatives to secure detention services via a side door program. Because these two areas need further analysis, it is not possible to include a specific timeline to implement a plan for the side door program in this Proviso response.

The topics for further work identified as next steps are summarized below:

- *Legal/statutory feasibility analysis on developing and implementing an involuntary, secure side door program.* While this report notes that most stakeholders consulted for the Proviso response coalesced around creating a voluntary side door program, some interested parties maintain that the side door program should be explored a locked facility implemented as secure alternative to jail.

The decision to implement a secure facility sited at the KCCF has cascading impacts, including such items as the potential to increase construction and ongoing operating costs and the potential need to relocate the non-secure shelter program.

Further analysis is needed in this area to inform policy decisions around secure v. non-secure side door program.

- *Consider the concentration of human services downtown Seattle and Pioneer Square.* Some stakeholders have noted that the area around KCCF in downtown Seattle/Pioneer Square neighborhood has a high concentration of human services. Given the existing space constraints of the WW, its current use as a shelter, and the potential additional services offered through a new Crisis Care Center on Capitol Hill along with other new programs and forthcoming services, policymakers and stakeholders may wish to examine the concept of locating a side door program in the downtown Seattle Pioneer Square neighborhood.

These next steps should be undertaken in collaboration with stakeholders, the County Executive, and the King County Council.

V. Conclusion

The creation of a 16-bed, non-secure, 24/7 side door alternative to jail booking could provide voluntary diversion pathway for individuals with behavioral health needs engaging in non-violent misdemeanor-level behaviors may be feasible on the first floor of the WW.

While this program could be supported by reserved MIDD funding and also by Medicaid reimbursements, additional funding would likely be needed since Medicaid funds do not cover the full cost of providing services, and future reductions of Medicaid funding are expected. At the same time,

the County and its partners offer several existing and anticipated future services supporting a voluntary diversion pathway for individuals with behavioral health needs that could be more effectively utilized.

This report identifies two areas for further work to inform policymaker decisions around developing and implementing a side door program: legal feasibility analysis for creating a secure alternative to jail and location of a side door program outside of the downtown Seattle/Pioneer Square area. Decisions on these matters impact facility design and costs along with staffing, programmatic, and operational costs. These next steps should be undertaken in collaboration with stakeholders, the County Executive, and the King County Council.

VI. Appendix A MIDD Financial Plan

MIDD Monitoring /1135 Financial Plan April 2025

Category	2023-2024 Revised Budget	2023-2024 Actuals	2025 Actual	2025 Adopted	2025 Estimated	2026-2027 Projected	2028-2029 Projected
Beginning Fund Balance	57,330,129	57,330,129	47,804,488	47,158,736	47,804,448	22,276,625	5,981,327
Revenues							
Local Sales Tax	182,122,607	183,736,289	13,633,946	93,782,511	93,172,177	192,603,763	202,942,807
Other/Interest	5,000,000	5,295,785	375,965	769,143	1,050,000	1,758,421	859,200
General Fund Transfer						-	-
Total Revenues	187,122,607	189,032,074	14,009,911	94,551,654	94,222,177	194,362,184	203,802,007
Expenditures							
Salaries, Wages & Benefits	28,428,550	26,744,872	4,658,292	16,207,395	16,207,395	32,061,136	33,818,086
Supplies	257,134	133,898	10,994	141,019	141,019	294,447	314,617
Contracted Services	139,574,660	116,642,471	16,074,668	77,908,030	77,908,030	127,667,040	136,412,232
Intergovernmental Services	2,853,454	2,668,528	4,273,440	1,353,296	1,353,296	2,981,953	3,380,342
Interfund Transfers	43,880,202	36,642,812	3,302,856	25,448,460	25,448,460	53,136,418	56,776,263
Transfer to Behavioral Health Fund	15,500,000	15,500,000	1,990,588	7,191,800	7,191,800	15,016,488	16,045,118
Cascade Hall	3,800,000	225,134				-	-
Total Expenditures	234,294,000	198,557,715	30,310,838	128,250,000	128,250,000	231,157,482	246,746,658
Estimated Under expenditure	(5,200,000)			(8,500,000)	(8,500,000)	(20,500,000)	(22,000,000)
Other Fund Transactions							
Total Other Fund Transactions	-	-	-	-	-	-	-
Ending Fund Balance	15,358,736	47,804,488	31,503,561	21,960,390	22,276,625	5,981,327	(14,963,324)
Reserves							
Expenditure Reserve (60 days)	16,974,742	16,546,476	18,219,340	18,219,340	16,275,484	19,263,124	20,562,221
Future use of West Wing	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000		
Sobering Center Allocation			2,800,000	2,800,000	2,800,000		
Out-year Capital RFP Reserve			5,000,000	5,000,000	5,000,000		
Cascade Hall Reserve	3,700,000	3,700,000	1,800,000	1,800,000	1,800,000		
Total Reserves	22,674,742	22,246,476	29,819,340	29,819,340	27,875,484	19,263,124	20,562,221
Reserve Shortfall	7,316,006	-	-	7,858,950	5,598,859	13,281,797	35,525,545
Ending Undesignated Fund Balance	-	25,558,012	1,684,221	-	-	-	-

Financial Plan Notes

All financial plans have the following assumptions, unless otherwise noted in below rows.

Out-year revenue and expenditure inflation assumptions are consistent with figures provided by PSB's BFPA guidance.

Revenue Notes:

Estimated and projected revenues reflect the updated revenue forecast per King County Office of Economic and Financial Analysis (OEFA) as of April 2025.

Expenditure Notes:

2023-2024 Estimated reflects updated planning assumptions.

2023-2024 Biennial-to-Date Actuals reflect revenues and expenses posted through 12/31/2024.

2025 Adopted reflects 12/2/2024 Council Adopted Budget.

2026-2027 Projected includes adjustments to back out one-time items.

Reserve Notes:

The Rainy Day Reserve represents 60 days of estimated expenditures.

Sobering Center Allocation reserves for out-year spending of the \$5.6M total allocated to the Sobering Center in the 2023-2024 2nd Omnibus.

Out-year Capital RFP Reserve is for out-year spending of the \$10M total allocated to community capital projects in the 2023-2024 2nd Omnibus.

Cascade Hall Reserve is for unspent funds for the Cascade Hall facility that will be needed for maintenance and repairs.

Last Updated 7/11/2025 by DCHS Staff using data from PBCS and BFPA assumptions. To correct versoin sent on June 5, 2025.



King County

Metropolitan King County Council Law and Justice Committee

STAFF REPORT

Agenda Item:	6	Name:	Leah Krekel-Zoppi
Proposed No.:	2025-0220	Date:	September 3, 2025

SUBJECT

A motion acknowledging receipt of a plan for use of the West Wing of the King County Correctional Facility as an area to provide alternatives to secure detention services.

SUMMARY

King County's 2025 Annual Budget required a plan for the use of the West Wing of the King County Correctional Facility (KCCF) as a "side door" space for law enforcement to bring people who have been arrested for non-violent misdemeanor offenses, as an alternative to booking them in jail. The plan was developed with input from stakeholders, including representatives from the criminal legal system and diversion programs, and includes discussion of the feasibility of using all or a portion of the West Wing of KCCF as an alternative to detention, the types of services that could be provided onsite, the number of people likely to be served, estimated capital and operating costs, potential funding sources, and next steps.

A potentially feasible "side door" option identified in the report is to renovate the existing shelter storage space on the first floor of the West Wing to provide 16 beds for "side door" occupants. Doing so would require finding alternative storage space. Downtown Emergency Services Center operates a homeless shelter on the first floor of the West Wing and expressed potential interest in expanding the behavioral health and case management services they currently provide there to include "side door" participants.

Stakeholders expressed concern about the feasibility of establishing a "side door" using the upper floors of the West Wing and did not support displacing the existing first floor shelter. Stakeholders also questioned whether the "side door" would be duplicative of other behavior health facilities located in Seattle and Pioneer Square, including a soon-to-open Crisis Care Center.

Costs of establishing and operating a "side door" could be funded by a \$2 million West Wing reserve in the MIDD fund and Medicaid reimbursements. Additional ongoing funding would need to be identified as Medicaid would not fully cover costs. However, Executive staff state that the Executive plans to eliminate the West Wing MIDD reserve after 2025 and the plan identified the need for additional analysis before moving forward with a "side door."

BACKGROUND

King County Adult and Juvenile Detention. King County's Department of Adult and Juvenile Detention (DAJD) operates three detention facilities as well as community supervision programs. King County's secure detention facilities are located at the King County Correctional Facility (KCCF) in downtown Seattle, the Maleng Regional Justice Center (MRJC) in Kent, and the Judge Patricia H. Clark Child and Family Justice Center (CCFJC) in Seattle's First Hill neighborhood, which houses juveniles.

The county's secure detention facilities house pre-trial individuals who have been arrested or had charges filed and are awaiting adjudication of their cases in King County Superior Court or District Court, or who are awaiting state psychiatric competency restoration services. King County also houses post-trial individuals who have been sentenced to secure detention for less than a year. Individuals in the county's custody who receive sentences that exceed one year are transferred to the state correctional system.

In 2024, annual bookings into adult detention were over 15,000, and the average daily population (ADP) was 1,407.¹ Currently, the adult population in secure detention is 1,360.²

DAJD also operates alternatives to detention for those eligible as determined by the courts. Alternatives to detention include community corrections programs and electronic home detention. Community corrections programs allow individuals to stay in community and access services while awaiting adjudication of their cases. The ADP for electronic home detention was 354 in 2024.

King County Community and Human Services. King County's Department of Community and Human Services (DCHS) oversees human services in King County and contracts with a network of community-based providers and partners to implement regional human services. DCHS implements revenue from the county's dedicated human services revenue streams, including the Veterans, Seniors, and Human Services levy; the Best Starts for Kids levy; and the Mental Illness and Drug Dependency (MIDD) behavioral health sales tax fund; the Health Through Housing sales tax, and the Puget Sound Taxpayer Accountability Account.

Revenue for the MIDD Behavioral Health sales tax fund comes from a countywide 0.1 percent sales tax which generates approximately \$136 million per biennium. MIDD provides dedicated funding for behavioral health treatment and prevention programs and services. MIDD is managed by DCHS's Behavioral Health and Recovery Division.

King County Correctional Facility (KCCF) and the West Wing. The KCCF is located in downtown Seattle and is connected by tunnel to the King County Courthouse (KCCH). The facility opened in 1986 to replace a jail on the upper floors of the KCCH. The structure of KCCF is a tower jail with a central 11-floor tower and a shorter seven-floor tower wing known as the "West Wing."

¹ [2024-12-kc-dar-scorecard.pdf](#)

² As of July 17, 2025

As of July 2025, KCCF had 765 residents, representing approximately 56 percent of the county's adult detention residents. KCCF houses individuals of all risk classifications, including low, medium, and high-risk. It also houses most of the people in county custody who have medical or psychological treatment needs. KCCF has a bookings area open 24 hours a day and seven days a week and receives 85 percent of the county's bookings.

Since 2019, the first floor of the KCCF West Wing has been used by DCHS as a shelter for unhoused individuals and also provides space for Jail Health Services (JHS) release planning and coordinated discharge services. The remaining floors of the West Wing are restricted access due to the structural integration between the West Wing and the main tower. The second and third floors of the West Wing are used as dormitory-style housing for jail residents who perform jobs in the facility such as meal preparation and laundry services. The fourth and fifth floors of the West Wing are used for administrative and operational functions, including training space, employee facilities, and workspaces. The sixth floor houses the JHS health clinic and the seventh floor houses the infirmary.

West Wing Proviso. King County's 2025 Annual Budget³ included Proviso P2, Section 54, which stated:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits a plan for use of the west wing of the King County Correctional Facility as an area to provide alternatives to secure detention services and a motion that should approve the plan, and a motion acknowledging receipt of the plan is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion.

The plan shall include, but not be limited to:

A. A discussion of the feasibility and advantages of using all or a portion of the west wing of the King County Correctional Facility and other facilities to provide a "side door" alternative space to bring people with behavior health needs arrested for non-violent misdemeanor offenses, as an alternative to booking them into jail, including consideration of whether the space should be secure, and the feasibility of co-locating the facility with the homeless shelter currently occupying the west wing;

B. A discussion, in collaboration with the behavioral health and recovery division, of the types of services that could be provided on-site, including assessments, therapy, medication assisted treatment, and case management, and how those services might be administered through existing or new alternatives to detention and diversion programs, and consideration of whether currently available on-site services and case management at the site could be used as a shared resource for the homeless shelter and "side door";

³ Ordinance 19861

C. Projection of the number of people likely to be served by the "side door" and the capital and operating resources that would be needed to implement the plan.

D. Identification of potential funding sources to implement the plan, including use of the \$2,000,000 expenditure reserve in the Mental Illness and Drug Dependency Fund set aside for supporting changes to the future use of the west wing; and

E. Identification of the timeline and next steps to implement the plan.

The executive should electronically file the plan, and a motion required by this proviso by June 30, 2025, 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 and justice or its successor.

ANALYSIS

Proposed Motion 2025-0220 would acknowledge receipt of the report, Use of West Wing of the King County Correctional Facility to Provide Alternatives to Secure Detention Services, dated July 2025. Adoption of the proposed motion would satisfy the requirements of the proviso and allow for \$100,000 in the DAJD budget to be released to be spent or encumbered. The report was developed by the Office of Policy, Strategy, and Budget (PSB); DAJD; and DCHS. In developing the report, PSB sought input from over 30 interested parties from various county and other public agencies, both individually and at a group meeting held in March 2025. PSB also engaged with Downtown Emergency Services Center (DESC), the nonprofit that contracts with DCHS to operate the homeless shelter currently located on the first floor of the West Wing.

The report responds to the following requirements of the proviso:

- Feasibility of using all or a portion of the West Wing of KCCF as an alternative to detention,
- The types of services that could be provided onsite,
- Number of people likely to be served and estimated capital and operating costs,
- Potential funding sources
- Timeline and next steps.

A. Feasibility of West Wing as an Alternative to Detention. The proviso required that the report discuss the feasibility and advantages of using all or a portion of the West Wing for a "side door," meaning an alternative space to bring people with behavior health needs who have been arrested for non-violent misdemeanor offenses, as opposed to booking them in jail. The proviso also requested consideration of whether the "side door" space should be secure and whether it was feasible to co-locate it with the homeless shelter currently occupying the first floor of the West Wing.

Feasibility. The report defines "side door" as a non-secure alternative to jail booking. Because KCCF is a secure facility, the report states that it would be most feasible for jail operations to locate it on the first floor of the West Wing, where capital investments

have already been made to separate the space from the rest of the secure facility. The rest of the West Wing is operationally and architecturally integrated with the KCCF central tower, making it a less feasible option for locating a non-secure use, according to the report.

Other factors, according to the report, that reduce the feasibility of locating a “side door” space on the upper floors of the West Wing is that it would displace functions necessary for KCCF operations, including dormitory-style housing that incentivizes residents to volunteer for the resident worker program and accommodate the various shifts of resident workers, the defensive tactics training room, offices, classrooms, the resident library, and employee sleeping spaces and amenities. The report states that, “there is no other location within the KCCF or MRJC footprint to relocate these services.”

However, the report also raises feasibility concerns with locating “side door” space on the first floor of the West Wing if it displaced existing uses located there. The homeless shelter located on the first floor provides 40 shelter beds in a space that was renovated for that purpose in 2019. The shelter has a 95 percent occupancy rate and focuses on serving the people with the greatest needs. According to the report, there was not stakeholder⁴ support for relocating the shelter beds or the JHS release and coordinated discharge services housed on the first floor of the West Wing.

Advantages. According to the report, the primary advantage of locating “side door” services at KCCF is its proximity to services and transportation accessibility. Additionally, the Washington State Department of Corrections (DOC) Office of Community Corrections expressed interest in contracting with King County for use of “side door” space for people in community corrections struggling with behavioral health issues when they violate their community corrections orders. Such a partnership, if it were to be successfully negotiated, would prevent community corrections violators from being confined to state prison for short periods of time.

Secure vs. Non-Secure Consideration. According to the report, most stakeholders agreed the facility should be non-secure. Some stakeholders raised that there may be legal concerns with a secure site for individuals not being held in jail or detained for involuntary behavior health treatment services. Other stakeholders raised the concern that creating additional secure detention space would not be consistent the goals of stabilizing people in crisis through evidence-based diversion programs and alternatives to detention.

Feasibility of Co-Location with the Shelter. The report states that the National Registry of Evidence Based Practices does not support the mixing of the shelter population and people in acute crisis. For that reason, and the high utilization rates of the existing shelter beds, it would not be feasible to co-locate the shelter and “side door” occupants. However, the report states that it would be feasible to renovate the existing shelter storage space on the first floor to provide 16 beds for “side door” occupants. Doing so would require finding alternative storage space for the shelter clients’ belongings.

⁴ Stakeholders consulted included representatives from PSB, DAJD, DCHS, King County Sheriff’s Office, King County Prosecuting Attorney’s Office, King County Department of Public Defense, Seattle Police Department, Seattle Mayor’s Office, Washington State Department of Corrections, the courts, and diversion programs.

Other Stakeholder Discussion. The report states that stakeholder feedback included focusing on using existing and planned behavioral health crisis diversion programs for providing “side door” services. Stakeholders discussed whether “side door” services would be duplicative of existing and planned facilities including the Opioid Recovery and Care Center (ORCA) Center, Stability Through Access and Resources (STAR) Center, and the Crisis Care Center that is to be located in the Seattle/Central Zone in the Capitol Hill neighborhood.

Stakeholders also discussed encouraging law enforcement to transport people experiencing behavioral health crises to a crisis stabilization unit or crisis relief center, refer the individual to a designated crisis responder for evaluation, or refer the individual to voluntary outpatient treatment. The report notes that the Crisis Diversion Facility is currently underutilized, but stakeholders did not extensively discuss the barriers that may be contributing to underutilization by law enforcement.

B. Types of Services That Could Be Provided at a West Wing “Side Door.” The proviso required a discussion of the types of services that could be delivered onsite at the West Wing, how services might be administered through existing or new alternatives to detention and diversion programs, and whether currently available onsite services at the West Wing could be shared between the homeless shelter and the “side door.”

According to the report, services that could be provided onsite at the West Wing include behavioral health assessments, individual and group therapy, medication assisted treatment, and case management. These services could be Medicaid eligible if provided outside of secure detention.⁵ The report states that the co-location of “side door” services and the DESC shelter could potentially result in economies of scale savings for DESC and King County, and that DESC is potentially interested in expanding their contract to provide additional services and beds at the West Wing.

A “side door” contractor could work with law enforcement, referral sources, and local providers to transport and provide a warm handoff for “side door” participants to available and appropriate locations and services. The report states that this would be a similar function to the planned crisis care center. According to Executive staff, crisis care centers are places where anyone can seek urgent care for behavioral health crises and where law enforcement and first responders can take an individual experiencing a behavioral health crisis. By contrast, the “side door” would serve as a place law enforcement could take people who have committed low level, nonviolent offenses as an alternative to booking them into jail.

The report also lists the following facilities that provide or will provide services similar to those contemplated for the “side door”:

- The King County Crisis Solution Center (currently open and under capacity)
- Crisis Care Center (could open in 2027)
- King County Sheriff’s Office Therapeutic Response Team (currently available)
- King County Designated Crisis Responders (currently available with an average response time of nine hours)

⁵ Behavioral health services provided in secure detention are currently not eligible for Medicaid reimbursement and must be funded by the county.

- The ORCA Center (opening fall 2025)
- The STAR Center (currently available)
- The Sobering Center (permanent location opening in early 2026)

C. Projection of the Number of People to be Served and Capital and Operating Costs. As required by the proviso, the report states an estimated 12-16 beds could be made available for “side door” services by renovating the storage space on the first floor of the West Wing. With an average length of stay of five days, this would serve 600-800 people annually. The report provides an estimated annual cost for operating the beds and services of \$1.5 million. The estimated capital cost of renovating the West Wing first floor storage space is \$700,000.

D. Potential Funding Sources. The proviso required the report to include identification of potential funding sources to implement a “side door” at the West Wing. Currently, there is a \$2 million expenditure reserve in the MIDD behavioral health sales tax fund that is restricted for future uses of the KCCF West Wing. According to the report, PSB estimates that the capital, start up, and first year operating costs for the “side door” could be funded with the \$2 million designated reserve. However, the financial plan for the MIDD sales tax fund shows the West Wing reserve expiring after 2025, and Executive staff stated the Executive does not intend to reserve funds for West Wing after 2025. Note that extension of the MIDD sales tax is currently before the Council (Proposed Ordinance 2025-0212). If the Council approves the extension of MIDD, the Executive intends to transmit an implementation plan in 2026; the Council could choose to specify funding for West Wing purposes in the implementation plan.

Medicaid reimbursements could help cover ongoing program costs, but additional revenue would be needed to sustain the programmatic costs not fully covered by Medicaid. The report does not provide an estimate of such costs, stating that final design of “side door” programming would be needed to determine operating costs and revenue options.

E. Timeline and Next Steps. The report identified two topics for further analysis: 1) the legal feasibility of developing and implementing an involuntary, secure side door program, and 2) consideration of the concentration of human services in Downtown Seattle and Pioneer Square. The report states that because these topics were identified for further analysis, the report cannot provide a timeline for implementing the “side door” program.

INVITED

- Steve Larsen, Deputy Director, Department of Adult and Juvenile Detention
- Susan McLaughlin, Division Director, Behavioral Health and Recovery Division, Department of Community and Human Services

ATTACHMENTS

1. Proposed Motion 2025-0220 (and its attachment)
2. Transmittal Letter



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2025-0256.1

Sponsors Zahilay

1 A MOTION approving renewal of contract for assistant
2 chief legal counsel to the King County council.

3 WHEREAS, RCW 36.32.200 grants county councils the authority to hire their
4 own legal counsel for up to a two-year term upon the approval of the presiding superior
5 court judge of the county, and

6 WHEREAS, the King County council has used the authority provided in RCW
7 36.32.200 to hire legal counsel to provide the council with legal advice on legislative,
8 contractual, and other legal matters, and

9 WHEREAS, Kendall Moore was previously appointed to the position of assistant
10 chief legal counsel to the King County council for a two-year term effective October 12,
11 2023, through October 11, 2025;

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

13 The chair of the employment and administration committee is authorized to sign a
14 contract letter that is substantially similar to Attachment A to this motion appointing
15 Kendall Moore to serve a two-year term in the position of assistant chief legal counsel to

- 16 the King County council, effective October 12, 2025, and upon approval by the presiding
17 judge of the King County superior court.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: A. Contract Letter - Moore

September 2, 2025

Kendall H. Moore, Assistant Chief Legal Counsel
King County Council
1200 King County Courthouse
Seattle, WA 98104

Dear Ms. Moore:

On behalf of the Metropolitan King County Council, I am pleased to offer you a two-year term appointment as the Council's Assistant Chief Legal Counsel. This contract is effective from October 12, 2025 through October 11, 2027. This position is at-will and exempt from career service.

As Assistant Chief Legal Counsel, you will report to the Chief Legal Counsel and receive assignments directly from individual councilmembers. You will be compensated at pay range 136, step 13, on the Legislative Branch salary schedule. You will continue to receive the benefits extended to all non-represented employees of the Legislative Branch who serve in an exempt status. The Council will pay your WSBA licensing fee for 2026 and 2027 as well as continuing legal education as approved by the Chief Legal Counsel.

The Council looks forward to your continued support as we address the important issues facing King County over the next two years. Thank you for your service.

Sincerely,

Girmay Zahilay, Chair
Employment & Administration Committee

REVIEWED AND ACCEPTED:

Kendall H. Moore

Honorable Ketu Shah, Presiding Judge
King County Superior Court
Approved per RCW 36.32.200

CC Stephanie Cirkovich, Council Chief of Staff
Deandra Stanley, HR Manager
Leesa Manion, King County Prosecuting Attorney



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2025-0257.1

Sponsors Zahilay

1 A MOTION approving renewal of contract for chief legal
2 counsel to the King County council.

3 WHEREAS, RCW 36.32.200 grants county councils the authority to hire their
4 own legal counsel for up to a two-year term upon the approval of the presiding superior
5 court judge of the county, and

6 WHEREAS, the King County council has used the authority provided in RCW
7 36.32.200 to hire legal counsel to provide the council with legal advice on legislative,
8 contractual, and other legal matters, and

9 WHEREAS, Monique Cohen was previously appointed to the position of chief
10 legal counsel to the King County council for a two-year term November 17, 2023,
11 through November 16, 2025;

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

13 The chair of the employment and administration committee is authorized to sign a
14 contract letter that is substantially similar to Attachment A to this motion appointing
15 Monique Cohen to serve a two-year term in the position of chief legal counsel to

- 16 the King County council, effective November 17, 2025, and upon approval by the
17 presiding judge of the King County superior court.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: A. Contract Letter - Cohen



September 2, 2025

Monique Cohen, Chief Legal Counsel
King County Council
1200 King County Courthouse
Seattle, WA 98104

Dear Ms. Cohen:

On behalf of the Metropolitan King County Council, I am pleased to offer you a two-year term appointment as the Council's Chief Legal Counsel. This contract is effective from November 17, 2025 through November 16, 2027. This position is at-will and exempt from career service.

As Chief Legal Counsel, you will report to the Chair of the King County Council and receive assignments directly from individual councilmembers. You will be compensated at pay range 136, step 13, on the Legislative Branch salary schedule. You will continue to receive the benefits extended to all non-represented employees of the Legislative Branch who serve in an exempt status. The Council will pay your WSBA licensing fee for 2026 and 2027 as well as continuing legal education as approved by the Chair of the Council.

The Council looks forward to your continued support as we address the important issues facing King County over the next two years. Thank you for your service.

Sincerely,

Girmay Zahilay, Chair
Employment & Administration Committee

REVIEWED AND ACCEPTED:

Monique Cohen

Honorable Ketu Shah, Presiding Judge
King County Superior Court
Approved per RCW 36.32.200

CC Stephanie Cirkovich, Council Chief of Staff
Deandra Stanley, HR Manager
Leesa Manion, King County Prosecuting Attorney



Signature Report

Motion

Proposed No. 2025-0258.1

Sponsors Zahilay

1 A MOTION confirming the reappointment of Hilary De La
2 Cruz to the citizens' elections oversight committee as a
3 King County registered voter.

4 WHEREAS, King County is committed to conducting open, accurate and fair
5 elections, and

6 WHEREAS, the citizens' elections oversight committee helps to ensure that
7 accountability and performance of the department of elections is provided in a transparent
8 manner that is meaningful to King County residents, and

9 WHEREAS, in accordance with K.C.C. 2.53.021, the employment and
10 administration committee appoints members to the citizens' elections oversight
11 committee, and

12 WHEREAS, in accordance with K.C.C. 2.53.021, appointments to the citizens'
13 elections oversight committee are subject to confirmation by the full council by motion,
14 and

15 WHEREAS, on September 2, 2025, in accordance with K.C.C. 2.53.021, the
16 employment and administration committee will reappoint Hilary De La Cruz to the
17 citizens' elections oversight committee to fill the vacant position for a King County
18 registered voter to a new three-year term, to expire on September 30, 2028;

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

20 The reappointment of Hilary De La Cruz to the citizens' elections oversight
21 committee as a King County registered voter to a new three-year term, to expire on
22 September 30, 2028, is confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: None



King County

Metropolitan King County Council Employment and Administration Committee

STAFF REPORT

Agenda Items:		Name:	Erica Newman
Proposed No.:	2025-0258 2025-0259	Date:	September 2, 2025

SUBJECT

The proposed motions would confirm the following reappointment and appointment to the Citizens' Elections Oversight Committee (CEOC):

- Reappointment of Hilary De La Cruz, as a registered King County voter, for a three-year term ending July 31, 2028.
- Appointment of a candidate as a representative of the Spanish-speaking community for a new three-year term ending July 31, 2028.

BACKGROUND

In May 2006, Council adopted Ordinance 15453, which established the CEOC and added a new chapter King County Code (K.C.C).¹ The ordinance allows the Chair and Vice Chair of the Council to solicit nominations to the Committee.

Ordinance 17273. In March 2012, the Council adopted ordinance 17273, to comply with the additional language requirement that was placed on King County by Section 203 of the federal Voting Rights Act, which required political subdivisions to provide alternate language ballots and voter education materials if there were more than ten thousand or over five percent of the total voting age citizens who were members of a single minority language group with limited English language proficiency. Following the results of the 2010 Census, the County amended the CEOC membership representation to include a representative of the Vietnamese-speaking community and a representative from each of any other language minority community for which the Director of the Bureau of the Census determines by publication in the Federal Register that King County is required to provide minority language assistance under Section 203 of the Voting Rights Act. The ordinance also outlined the process for filling vacancies on the CEOC.

¹ The ordinance allowed for twelve committee members and the CEOC duties and membership representation are outlined in K.C.C. 2.53

Ordinance 18795. In September 2018, the Council adopted ordinance 18795, which updated the CEOC's membership composition from twelve to sixteen members. In addition to increasing the number of and changing the composition of CEOC members, the ordinance changed the mission of the committee to "help King County maintain public confidence in elections". The ordinance also outlines the CEOC's tasks and support provided by staff within the Department of Elections.

Ordinance 19823. In June 2024, Council adopted ordinance 19823, which added new CEOC guidelines under the King County Code.² The new guidelines are as follows:

- At least twenty-eight days before any election, the department of elections shall request from the citizens' elections oversight committee a list of committee members designated as observers.
- At least a reasonable time before any election, the department of elections shall notify the citizens' elections oversight committee of when ballot processing will begin and shall request observers from the committee for the processing of ballots at the counting center. The absence of observers from the committee will not prevent the processing of ballots.
- The department of elections shall notify the citizens' elections oversight committee of opportunities to observe official logic and accuracy tests for each vote tallying system to be used at elections.
- The department of elections shall notify the citizens' elections oversight committee of opportunities to observe recounts.

The ordinance amended language regarding the CEOC's membership. The ordinance outlines the composition of the CEOC as listed below.

1. *One representative sponsored by a nonpartisan organization active in King County that evaluates candidates and ballot measures, such as the Municipal League;*
2. *One representative sponsored by a nonpartisan organization active in King County that provides elections information to the public, such as the League of Women Voters;*
3. *One representative from the disability community;*
4. *One representative sponsored by either a junior taxing district or a city with a population of under twenty thousand;*
5. *One representative of the Chinese-speaking community;*

² K.C.C. 2.16

6. *One representative of the Vietnamese-speaking community;*
7. *One representative of the Spanish-speaking community;*
8. *One representative from the Korean-speaking community;*
9. *One representative from each of any other language minority community for which the Director of the Bureau of the Census determines by publication in the Federal Register that King County is required to provide minority language assistance under Section 203 of the Voting Rights Act;*
10. *Two King County registered voters who are not representatives of any of the groups listed in subsection A.1. through 9. and 11. through 16. of this section;*
11. *One representative from the King County Democratic Party;*
12. *One representative from the King County Republican Party;*
13. *One ex officio, nonvoting representative from the Office of the Secretary of State;*
14. *One representative sponsored by an academic institution and has knowledge of elections;*
15. *One representative who has experience in technology; and*
16. *One representative sponsored by a nonpartisan organization in King County that promotes equality and the advancement of Black or African Americans, such as the Urban League of Metropolitan Seattle.*

Also, the ordinance updated the process for filling vacancies on the CEOC that included the following changes:

- Except the positions for the King County Democratic Party and the King County Republican Party, vacant positions shall be advertised at a minimum in the county's newspaper of record.
- Except for the ex officio position, members are required to reside in King County. However, members, who during their tenures on the committee temporarily live outside the United States but maintain King County as their residences, may continue to serve on the committee during their temporary absences from the county.
- The representative from the King County Democratic Party and the King County Republican Party are not eligible to serve as the chair of the committee.

ANALYSIS

Proposed motions 2025-0258 and 2025-0259 would confirm the reappointment and appointment to the CEOC. As outlined under K.C.C. 2.53, appointments and reappointments to the CEOC are subject to review by the Employment and Administration Committee, who make a recommendation to the full Council for final confirmation, via motion.

Table 1 below, lists the current membership of the CEOC and the organization or constituency they represent.

Table 1: CEOC Membership as of August 2025

MEMBER	ORGANIZATION/CONSTITUENCY
Mike Flood	representative sponsored by a nonpartisan organization active in King County that evaluates candidates and ballot measures, such as the Municipal League
Kathy Sakahara	representative sponsored by a nonpartisan organization active in King County that provides elections information to the public, such as the League of Women Voters
Carolyn Stevens	Disability community
LeAnn Blanco	representative sponsored by either a junior taxing district or a city with a population under 20,000
Stanley Tsao	Chinese-speaking community
<i>Vacant</i>	Vietnamese-speaking community
<i>Vacant</i>	Spanish-speaking community
Julie Kang	Korean-speaking community
<i>Vacant</i>	representative from each of any other language minority community for which the Director of the Bureau of the Census determines by publication in the Federal Register that King County is required to provide minority language assistance under Section 203 of the Voting Rights Act
Hillary De La Cruz Christoper Hays	registered King County voters
Hanna Floss	King County Democratic Party
Mathew Thomas Vice Chair, Election Monitoring	King County Republican Party
Stuart Holmes	ex officio, nonvoting representative from the Office of the Secretary of State
Jason Lambacher	representative sponsored by an academic institution and has knowledge of elections

MEMBER	ORGANIZATION/CONSTITUENCY
Tyson Hartman	representative who has experience in technology
Latasha Mae	representative sponsored by a nonpartisan organization in King County that promotes equality and the advancement of Black or African Americans, such as the Urban League of Metropolitan Seattle.

Reappointment.

Proposed Motion 2025-0258 would reappoint Hilary De La Cruz to the CEOC as a King County registered voter, for a three-year term ending July 31, 2028. Ms. De La Cruz has served on the CEOC since 2019 and is a graduate of the University of Washington. Currently, Ms. De La Cruz is employed as a Senior Management Analyst and has previous internship experience with Seattle/King County Coalition on Homelessness, Statewide Poverty Action Network, and Seattle Children’s Hospital. Ms. De La Cruz is passionate about creating a more just community by listening to the diverse needs and ideas of community members, supporting antiracist policies and budgets that meet those needs, and building bridges between people and policy makers.

Appointment.

Proposed Motion 2025-0259 would appoint a candidate to the CEOC as a representative of the Spanish-speaking Community to a new three-year term ending July 31, 2028. The position has been vacant since June 2024. The Council provided notice of the vacancy and accepted applications to fill the position from July 31, 2025 through August 13, 2025, and one application was received. The Employment and Administration Committee intends to interview the candidate, Juan Rodriguez at the September 2, 2025 meeting.

AMENDMENT

Proposed Motion 2025-0259. An oral amendment would be required to insert the name of the appointee on line 4, line 18, and line 22 of the proposed motion, and to insert “King County Council’s Employment and Administration Committee” as the governing body that identified the candidate on line 4 of the proposed motion.

An oral title amendment would be required to insert the name of the appointee on line 1 of the proposed motion.

INVITED

- Juan Rodriguez, Applicant for appointment to the CEOC

ATTACHMENTS

1. Proposed Motion 2025-0258
2. Proposed Motion 2025-0259



Signature Report

Motion

Proposed No. 2025-0206.2

Sponsors Barón

1 A MOTION acknowledging receipt of an independent
2 monitoring report on the confinement of juveniles in county
3 detention facilities as required by the 2025 Annual Budget
4 Ordinance, Ordinance 19861, Section 54, Proviso P3.

5 WHEREAS, the 2025 Annual Budget Ordinance, Ordinance 19861, Section 54,
6 Proviso P3, requires the executive to transmit a report on the confinement of juveniles in
7 county detention facilities, accompanied by a motion that should acknowledge receipt of
8 the applicable report, and

9 WHEREAS, the report was to be transmitted no later than June 30, 2025, and
10 cover the period of April 1, 2024, through March 31, 2025, and

11 WHEREAS, Ordinance 19861, Section 54, Proviso P3, provides that \$100,000
12 shall not be expended or encumbered until the executive transmits the report and a
13 motion acknowledging receipt of each report is passed, and

14 WHEREAS, upon passage of the motion, \$100,000 shall be released for
15 expenditure or encumbrance, and

16 WHEREAS, the council has acknowledged receipt of the this report transmitted
17 by the executive;

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

19 The receipt of the independent monitoring report on the confinement of juveniles
20 in county detention facilities, entitled King County Department of Adult and Juvenile

- 21 Detention Independent Monitoring Team Report, Attachment A to this motion, is hereby
22 acknowledged in accordance with 2025 Annual Budget Ordinance, Ordinance 19861,
23 Section 54, Proviso P3.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

Attachments: A. King County Department of Adult and Juvenile Detention Independent Monitoring Team Report Implementation of Ordinance 18637 Restrictive Housing, April 1, 2024 - March 31, 2025, Updated August 20, 2025

ATTACHMENT A

REPORTING PERIOD: APRIL 1, 2024 - MARCH 31, 2025

KING COUNTY
DEPARTMENT OF ADULT AND JUVENILE DETENTION
INDEPENDENT MONITORING TEAM REPORT
IMPLEMENTATION OF ORDINANCE 18637
RESTRICTIVE HOUSING

Kathryn Olson
Change Integration Consulting, LLC
206.890.5932
and
Bob Scales
Police Strategies, LLC
206.915.8683

TABLE OF CONTENTS

	EXECUTIVE SUMMARY.....	2
I.	INTRODUCTION.....	3
II.	K,C.C. CHAPTER 2.65 - CONFINEMENT OF JUVENILES, RCW 13.22 - ROOM CONFINEMENT AND ISOLATION, KING COUNTY PROVISO 3 & REPORT METHODOLOGY.....	3
	A. K.C.C. Chapter 2.65 - Confinement of Juveniles.....	4
	B. RCW 13.22: - Room Confinement and Isolation.....	4
	C. King County Proviso 3 & Report Methodology.....	7
III.	CHALLENGES, PROGRESS & SETBACKS (PROVISO 3.A).....	10
IV.	RESTRICTIVE HOUSING DATA TRACKING (PROVISO 3.B, C, D, E, & G).....	14
	A. Juvenile Division: Restrictive Housing Data Tracking.....	14
	B. Adult Divisions: Restrictive Housing Data Tracking of Adult Age-Outs.....	36
V.	ACCESS TO EDUCATION, PROGRAMMING, AND NECESSITIES (PROVISO 3.F).....	39
	A. Access to Education, Programming, and Necessities in the Juvenile Division.....	39
	1. Access to Education.....	39
	2. Access to Programming.....	41
	3. Modified Programming.....	44
	4. Access to Necessities, Such as Reading Material.....	46
	B. Access to Education, Programming and Necessities in the Adult Divisions for Adult Age-Outs.....	48
VI.	PROGRESS IN IMPLEMENTING RECOMMENDATIONS AND NEW RECOMMENDATIONS FOR REDUCING USE AND DURATION OF SOLITARY CONFINEMENT AND FOR IMPROVING DATA COLLECTION AND REPORTING OF INCIDENTS OF SOLITARY CONFINEMENT (PROVISO 3.H & I).....	49
VII.	CERTIFICATION OF 90% DOCUMENTATION FOR CATEGORIES OF INFORMATION REQUIRED BY PROVISO 3B - 3F OR DAJD EXPLANATION WHY NOT MEET 90% GOAL (PROVISO 3.J.1 & 2).....	53
VIII.	CONCLUSION.....	54
	Attachment A - Status of Restrictive Housing Monitoring Recommendations (Updated June 11, 2025)	

EXECUTIVE SUMMARY

The total and monthly average number of restrictive housing incidents for juveniles in secure detention at the Patricia H. Clark Children and Family Justice Center ("CCFJC") has increased over the past three years, to a high of 620 incidents during April 1, 2024 - March 19, 2025. Possible explanations for this are discussed, including the steady increase in average daily population (ADP). However, the average amount of total time spent in restrictive housing has steadily decreased, down to 302 minutes for this reporting period, from a high of 444 minutes during April 1, 2022 - June 30, 2023.

There are on-going challenges impacting the frequency with which restrictive housing is used, including continually high numbers of youth in custody at both juvenile and adult facilities of the Department of Adult and Juvenile Detention ("DAJD"), staffing shortages, a high number of juveniles being booked with complex needs that contribute to challenging behaviors such as assaulting staff, and longer stays for many youth. These challenges can contribute to the frequency with which restrictive housing is used, whether there are sufficient numbers of staff members experienced in responding to and de-escalating conflict among detainees, the number of living halls that can be adequately staffed and available for changes in hall assignments, and access to education and programming.

Specific challenges encountered during the April 1, 2024 - March 31, 2025, review period included personnel changes of staff who had overseen the collection of data related to restrictive housing, including routine checks for missing or incorrect information and collating documents and presenting the data for the monitoring team's review. The quality of the data appears to have been negatively impacted as staff who took over responsibility for restrictive housing were not easily able to reconcile some of the information, particularly for restrictive housing incidents from early in the reporting period. DAJD Juvenile Division personnel now are familiar with the process of documenting, confirming, and reporting restrictive housing events, which will help ensure more reliable data moving forward.

Other steps taken to improve the quality of restrictive housing data include a recent change from documenting time in restrictive housing on a hard copy form to directly inputting that information into the Jail Management System ("JMS"), the platform used to manage and report on other restrictive housing related data such as mental health and medical care provider assessments of youth in confinement. Another recent change involves giving care providers direct access to JMS, so the Juvenile Division Health Clinic can oversee documentation of restrictive housing assessments, rather than having it handled by others, which contributed to the problem of missing information.

Because DAJD did not reach a 90% documentation completion level in the different categories of information required by Budget Proviso 3, DAJD has provided an explanation as to why the goal was not met, included in report Section VII. DAJD has implemented 50% of the process improvement recommendations made by the monitoring team since 2019, including many aimed at ensuring data reliability. New Juvenile Division leadership team members are committed to evidence-based strategies to avoid restrictive housing and, with their change management experience, will be instrumental in ensuring that DAJD produces accurate data moving forward.

I. INTRODUCTION

This is the seventh report from the independent monitoring team¹ engaged to assess progress made by the King County Department of Adult and Juvenile Detention ("DAJD") to implement King County Council Ordinance 18637 ("Ordinance 18637"), which places limitations on the use of restrictive housing for youth detained in DAJD facilities, as further specified under King County Code ("K.C.C.") Chapter 2.65. Pursuant to Ordinance 19546, Section 54, Proviso P3 in the King County 2025 Annual Budget ("Proviso 3") and as required by Ordinance 18637, Sections 2 through 5, this report analyzes DAJD's compliance with requirements under K.C.C. Chapter 2.65 and RCW Chapter 13.22, and presents data regarding the use of restrictive housing during the period April 1, 2024 - March 31, 2025,² compares some data to information provided in earlier reports, discusses DAJD implementation efforts and challenges encountered with regards to restrictive housing, makes recommendations where process improvement opportunities are identified, updates DAJD's response to previous monitoring team recommendations, and considers whether DAJD documented data on at least ninety percent of incidents for each category of analysis required under Proviso 3.

II. K.C.C. CHAPTER 2.65 - CONFINEMENT OF JUVENILES, RCW 13.22 - ROOM CONFINEMENT AND ISOLATION, KING COUNTY PROVISO 3, & REPORT METHODOLOGY

Restrictive housing of juveniles in King County is regulated by K.C.C. Chapter 2.65 and Washington State RCW 13.22. Ordinance 18637 and Proviso 3 also mandate independent monitoring of restrictive housing of detained youth and require that reports concerning monitoring activities be submitted to the King County Council.³ The restrictive housing provisions mandated under the K.C.C. Chapter 2.65 and RCW 13.22 are summarized below, followed by an outline of issues reviewed and reported through the independent monitoring process, per K.C.C. Chapter 2.65 and Proviso 3, and a summary of the methodology used by the monitoring team.

¹ The independent monitoring team members are Kathryn Olson, Change Integration Consulting, LLC, and Bob Scales, Police Strategies, LLC.

² As discussed in more detail in Section IV.A of this report, restrictive housing data from March 20 - March 31, 2025, was omitted from the data tracking analysis due to the DAJD's Juvenile Division's transition from recording security checks and youth activity in hard copy format to entering data electronically using a platform called "Movements."

³ Ordinance 18637 § 6; Ordinance 19546, § 54, Proviso 3.

A. K.C.C. Chapter 2.65 - Confinement of Juveniles

K.C.C. Chapter 2.65 prohibits the restrictive housing⁴ of youth in King County's detention facilities, except when based on the youth's behavior and restrictive housing is necessary to prevent imminent and significant physical harm to the youth or others and less restrictive alternatives were unsuccessful.⁵

K.C.C. Chapter 2.65 applies to: (a) all juveniles held in detention at the Patricia H. Clark Children and Family Justice Center ("CCFJC"); (b) youth who turn 18 (Age Out) while at the CCFJC and are transferred to an adult facility; and (c) youth who are older than 18 and are booked on a juvenile probation/parole matter or on any charge stemming from criminal conduct that occurred prior to their 18th birthday. DAJD uses the term "Adult Age Outs" ("AAOs") for juveniles covered by K.C.C. Chapter 2.65 though detained at the King County Correctional Facility ("KCCF") or Maleng Regional Justice Center ("MRJC").

Under K.C.C. Chapter 2.65.010.B., "solitary confinement/restrictive housing" is defined as, "the placement of an incarcerated person in a locked room or cell alone with minimal or no contact with persons other than guards, facility staff, and attorneys." Use of restrictive housing of youth for disciplinary or punishment purposes is prohibited, though short-term placement of youth in individual cells for purposes of facility or living unit security issues or for other short-term safety and maintenance issues is permitted. Juveniles also must be given reasonable, timely access to the defense bar, juvenile probation counselors, social service providers, and educators.

B. RCW 13.22 - Room Confinement and Isolation

In 2021, Washington State legislation providing additional regulation of the use of confinement and isolation of youth in detention facilities and institutions became effective.⁶ RCW 13.22 provides limits on the use of room confinement that extend beyond the mandates of K.C.C. Chapter 2.65,

⁴ K.C.C. Chapter 2.65 uses the term "solitary confinement," though DAJD adopted the term "restrictive housing," which previously had been used by the Adult Divisions and has since been used by both the Juvenile and Adult Divisions. K.C.C. Chapter 2.65.010.B. makes clear that solitary confinement mandates apply regardless of the terminology used (e.g., solitary confinement, room confinement, segregated housing, restrictive housing, etc.). RCW 13.22.010 introduced another taxonomy of terms related to solitary confinement.

⁵ A list of explanations underlying enactment of Ordinance 18637 included studies "on the psychological effects of solitary confinement on juveniles [that] suggest that isolation may interfere with essential developmental processes, lead to irreparable damage and increase the risk of suicide ideation and suicide." King County's Zero Youth Detention Road Map also has an objective of ensuring that detained youth receive trauma-informed care. In support of this approach, the County participates in the Juvenile Detention Alternatives Initiative (JDAI) and relies on JDAI standards.

⁶ RCW 13.22. Prior monitoring reports detailed RCW 13.22 requirements and discussed ways the requirements under Washington law are similar to and differ from restrictive housing mandates under Ordinance 18637 and K.C.C. Chapter 2.65.

necessitating that the Juvenile Division bring its restrictive housing policies and practices into compliance.⁷

"Solitary confinement" under RCW 13.22.010, "means a youth is involuntarily separated from the youth population and placed in a room or cell other than the room assigned to the youth for sleeping for longer than 15 minutes for punitive purposes." While K.C.C. Chapter 2.65 also prohibits the use of solitary confinement for punitive purposes, it defines "solitary confinement" to mean "the placement of an incarcerated person in a locked room or cell alone with minimal or no contact with persons other than guards, correctional facility staff, and attorneys." DAJD uses the term "restrictive housing" instead of "solitary confinement" in defining the conditions under which youth can be confined to their room, while RCW 13.22 sets out the conditions using the terms "room confinement" and "isolation."

RCW 13.22 requires that the Juvenile Division compile and publish data on the use of confinement or isolation (i.e., restrictive housing) in excess of one hour. While continuing to document all instances when youth are confined to their room, including those of less than 60 minutes in duration, in order to comply with both RCW 13.22 and K.C.C. Chapter 2.65 and to facilitate consistency, the Juvenile Division analyzes and reports on all events that last 60 minutes or longer.⁸

In compliance with K.C.C. Chapter 2.65 and RCW 13.22, Juvenile Division policies and procedures require that all youth are checked on at least every 15 minutes and, for those in restrictive housing, provide that:

- Youth have access to clothing, mattress and bedding, medication, toilet and sink at least hourly, any necessary mental health services, and reading and writing material.
- The reason for placement in restrictive housing is documented by staff.
- A supervisor checks in with the youth within two hours of placement into restrictive housing, and then every four hours (except for ordinary sleep periods).

⁷ For example, under RCW 13.22, the term "confinement" includes both room confinement and isolation and means a youth is separated from the population and placed in a locked room for longer than 15 minutes. The Juvenile Division's original policy allowed for the confinement of a youth to their room for a short "Time Out" or a "Cool Down" period lasting up to two (2) hours which was not classified as restrictive housing. Under the DAJD Juvenile Division's revised policy, the restrictive housing time clock begins as soon as a youth is involuntarily confined to their room (the policy does not provide for the initial 15-minute buffer included under state law) and the "Time Out" or "Cool Down" options are not permitted.

⁸ The DAJD Juvenile Division developed a data sharing agreement with the DCYF to support transfer of restrictive housing data to DCYF and reviewed Juvenile Division data to align it with the variables detailed in the statute. DCYF is required to gather the data from the state and county juvenile facilities into reports to be provided to the Legislature, which also will include periodic reviews of policies, procedures, and use of confinement and isolation in all applicable facilities, including the CCFJC.

- The youth be evaluated and a care plan developed by a mental health professional as soon as possible within four hours of placement in restrictive housing.
- The youth be evaluated by a medical professional as soon as possible within six hours of placement in restrictive housing or before an ordinary sleep period, and at least once per day thereafter.
- Youth are released from restrictive housing as soon as the purpose of the confinement or isolation is met, the desired behavior is evident, or the youth is determined no longer to be an imminent risk.
- If a youth remains in restrictive housing for more than four hours within a twenty-four-hour (24) period, staff must establish a reintegration plan and share it with the youth.

An extension beyond four hours is allowed if subsequent or multiple incidents occur, and:

- All requirements above are met.
- The reason for the extension is documented.
- Medical professionals assess and address the youth's physical needs and mental health professionals evaluate their mental health needs.
- An individualized plan is established for reintegration of the youth.
- The agency head provides documented authorization for continuing restrictive housing if exceeding 24 hours.

The Juvenile Division continues to explore behavioral response alternatives to the use of restrictive housing and ways to decrease the time in which a youth is placed in confinement. When restrictive housing assignment is deemed appropriate, goals and objectives are identified and communicated to a confined juvenile so they and staff share an understanding as to what is necessary for reintegration back into routine activities with peers in their living hall.

A multidisciplinary team ("MDT team") of Juvenile Division staff, mental health professionals, a Seattle Public School teacher working with youth at the CCFJC, and others meet daily to review incidents of restrictive housing, as well as to assess behavioral support and other needs for youth experiencing acute psychological and/or social issues, whether or not they are in restrictive housing.

The Juvenile Division has developed processes to help reduce the amount of time a youth is confined to their room when assigned to restrictive housing. One approach is "split programming," which is used when two or more juveniles are in restrictive housing for fighting or engaging in other disruptive behavior together. Because the youth cannot program together until they self-regulate and problem solve about their unacceptable behavior, one youth remains in their room while the other attends classes or participates in program activities and then they switch off, so the youth who had been confined leaves their room for programming and the first youth returns to their room. Another approach that has been used is "one-on-one programming," a means to engage youth outside of

their room, as a step-down process before a youth is fully regulated and ready to integrate with other youth. As the term implies, in one-on-one programming, a youth assigned to restrictive housing meets alone with a Juvenile Detention Officer ("JDO") or other detention staff to work on school assignments or to engage in other program activities.⁹ Though one-on-one programming has rarely been used in recent years due to staffing shortages, it is considered an important part of the Juvenile Division's behavioral response protocols.

While addressed in previous reports, the monitoring team notes again that the Juvenile Division discontinued use of Restoration Hall¹⁰ after RCW 13.22 became effective, out of concern that a youth assigned to Restoration Hall would be in "isolation," as the term is defined under state law, since room confinement is preferred over isolation to address inappropriate behavior. As the Juvenile Division is exploring alternative approaches to making living hall assignments, there is some potential for reinstituting Restoration Hall. JDOs generally express support for the concept of Restoration Hall, as it allows for staff with the most interest and expertise in facilitating restorative practices to work with youth in restrictive housing, and frees up other JDOs to manage and program with the remaining youth.

It is also important to bear in mind that youth engage in unacceptable behavior more frequently than is represented by the numbers and analysis of restrictive housing incidents which are the focus of this report. Examples of alternative responses to youth negative behavior that are used by Juvenile Division staff include such actions as engaging youth in restorative problem solving without also imposing restrictive housing, taking away privileges such as the option to earn an extended bedtime, or a loss of time accumulated at a previously earned level of the tiered behavior incentive system or demotion to a lower level.

C. King County Proviso 3 & Report Methodology

Ordinance 19546, Section 54, Proviso P3 requires continued independent monitoring and reporting regarding DAJD's use of restrictive housing for juveniles in county detention facilities. The monitoring team's report is to build on prior reports and contain an analysis of DAJD's compliance with K.C.C. Chapter 2.65 and RCW 13.22 RCW, including:

⁹ One-on-one programming falls within the technical definition of restrictive housing under K.C.C. Chapter 2.65 and a monitoring team recommendation has been made to amend K.C.C. Chapter 2.65 to explicitly permit use of this approach.

¹⁰ Assignment to Restoration Hall was a behavior response alternative that had been used since May 2019. Youth presenting a risk of imminent and significant physical harm could be assigned to Restoration Hall where they would work with JDOs and other staff trained on restorative principles to understand and address the issues that led to the behavior that could require solitary confinement. Ideally, they were with other youth and, if not, could engage in one-on-one programming with staff until they were self-regulated and could return to their previous living hall.

- A. A discussion of challenges, progress, and setbacks, and any significant management, policy, or operating environment changes that have occurred since the prior report related to behavioral interventions and confinement of juveniles at county detention facilities;
- B. A review of the documentation of each incident of use of solitary confinement during the evaluation period, including identification of the number of incidents and an evaluation of the circumstances for the use of solitary confinement;
- C. A review of the average duration of solitary confinement incidents, including identification of the number of incidents exceeding four hours and an evaluation of each incident;
- D. A review of the documentation of supervisory review before the use of solitary confinement, including identification of the number of incidents exceeding two hours when supervisory review did not occur and an evaluation of each incident;
- E. A review of the documentation of medical and mental health assessments of youth in solitary confinement, including identification of the number of incidents when health clinic staff was not notified within one hour or an assessment by a medical professional was not completed within six hours and an evaluation of each incident.
- F. A review of the documentation of how youth subject to solitary confinement had continued access to education, programming, and ordinary necessities, such as medication, meals, and reading material, when in solitary confinement, and identification of the number of incidents when access was not documented and an evaluation of each such incident;
- G. The gender, age, and race of youth involved in each restrictive housing incident;
- H. An assessment of the progress by the department of adult and juvenile detention juvenile division on implementing the recommendations outlined in previous monitor reports;
- I. Any new recommendations for reducing the use and duration of solitary confinement for juveniles in detention, and recommendations for improving data collection and reporting of incidents of solitary confinement of juveniles in detention; and
- J.1. Except as otherwise provided in subsection J.2. of this proviso, a certification by the monitor or monitors that the department of adult and juvenile detention juvenile division has appropriately documented and maintained data on at least ninety percent of incidents for each category of incident described in subsections B. through subsection F. of this proviso.
- J.2. If the monitor or monitors cannot make the certification in accordance with subsection J.1. of this proviso because the department of adult and juvenile detention juvenile division did not appropriately document and maintain data on at least ninety percent of incidents for any category or categories of incident described in subsections B. through F. of this proviso, the monitor shall include in the report an explanation from the department of adult and juvenile detention as to why data was not appropriately documented and maintained on at least ninety percent of incidents for each category of incident.

Ordinance 18637 and Proviso 3 direct that the monitoring process incorporate consultation with stakeholders, including representatives of the King County Juvenile Detention Guild (Department of Adult and Juvenile Detention - Juvenile) Executive Board, representing employees of DAJD's Juvenile Division ("Juvenile Detention Guild"). The methodology used in gathering information for the April 1, 2024 - March 31, 2025, evaluation period included meetings and interviews held with representatives of the Juvenile Detention Guild Executive Board; members of the DAJD senior management team and members of the Juvenile Division management team, Juvenile Division Corrections Supervisors and administrative managers; the Juvenile Division Community Services Coordinator; JDOs; youth detained at the CCFJC and AAOs detained at KCCF; an administrator and teachers from the Seattle Public School System working with juveniles at the CCFJC; individuals from Ryther and the University of Washington providing mental health and medical services to juveniles detained at the CCFJC; and others. On-site visits and observation of programming activities also took place.

The monitoring team has compiled and relies upon an extensive list of documents since it began its work with DAJD in 2018, another important element of the methodological approach used.¹¹ For the current evaluation, in addition to reviewing earlier reports (those authored by the monitoring team and DAJD external audits) and research material, documentation and data for the period April 1, 2024 - March 31, 2025, was considered, including material related to specific restrictive housing incidents, such as Youth Accountability Checklists, Restrictive Housing Assessment Checklists, and restrictive housing summary data compiled by DAJD. The remainder of this report addresses the issues outlined in Proviso 3.

¹¹ While not a complete list, examples of documentation reviewed over time include: King County Council Ordinance 18637; Washington State legislation enacted in 2020, Juvenile Solitary Confinement, Chapter 13.22 RCW (HB2277); "Model Policy for Reducing Confinement and Isolation in Juvenile Facilities," developed by the Washington State Department of Children, Youth & Families, as required by RCW 13.22.030; DAJD policies on restrictive housing in the Juvenile and Adult Divisions; DAJD organizational charts; prior monitor's reports on Ordinance 18637; informational handbooks for detainees in DAJD Juvenile and Adult Divisions; formerly required quarterly self-monitoring reports on restrictive housing DAJD provided to Columbia Legal Services; juvenile and adult facilities behavior management forms and reference documents; King County Executive Orders and reports on Auto Declines, juvenile justice services, and related matters; Juvenile Division detainee intake and screening documents; Youth Accountability Checklists; health clinic youth monitoring forms; Juvenile Division Restrictive Housing Assessment forms; King County and other jurisdictions' write-ups about Zero Youth Detention and COVID impact statements and data; and, DAJD reports and supporting material provided to King County Council. The monitoring team strives to stay up to date on research and best practices in this area, including regular review of Juvenile Detention Alternatives Initiative standards, reports, and related documents; publications concerning room confinement issues generally and with regards to other detention facilities; and research articles on use of restorative practices with youth and alternative approaches in responding to negative behavior.

III. CHALLENGES, PROGRESS & SETBACKS (PROVISO 3.A)

DAJD continues to be challenged by issues the organization has experienced for a number of years: staffing shortages, a relatively high Average Daily Population ("ADP") in both juvenile and adult facilities, a high number of juvenile detainees being booked on more serious charges, and a longer Average Length of Stay ("ALOS") for all youth in secure detention, but particularly those whose cases are being heard in Adult Superior Court. As noted in the monitoring team's last report, these challenges can contribute to the frequency with which restrictive housing is used, whether there are sufficient numbers of staff members who are experienced in responding to and de-escalating conflict among detainees, the number of living halls that can be adequately staffed and available for changes in hall assignments as a strategy to deter conflict or as an alternative behavior response, access to education and programming, and staff morale. DAJD's ability to prioritize the documentation and tracking of restrictive housing events can also be impacted by these factors. Once notified by a JDO that a youth has been assigned to restrictive housing, Juvenile Division Corrections Supervisors perform their required checks on the youth and enter data regarding each specific incident into the Jail Management System ("JMS"). Along with the tasks of assessing and documenting restrictive housing incidents, Corrections Supervisors oversee the day-to-day work of JDOs, train and mentor new employees, and assist in juvenile detainee engagement and program management, among other duties.

In the past, Juvenile Division administrative personnel routinely reviewed restrictive housing documentation for accuracy and consistency. The person internal to the Juvenile Division who had the most familiarity with restrictive housing data, worked to ensure data reliability, and oversaw the process for collating and preparing the data for the monitoring team's review left their position at DAJD in early 2024. By the time new personnel were hired and became familiar with processing restrictive housing data, valuable time was lost when the data was not being checked for missing or incorrect entries, and it was difficult at best to reconcile inconsistent data months after restrictive housing events. Consequently, numerous issues were identified that brought into question the overall reliability of the restrictive housing data reviewed for this report.

While earlier reports have noted concerns about data reliability, the monitoring team encountered issues more frequently during the current review period. Examples of concerns with the data that were noted include:

- Only recording one restrictive housing event, though two or more youth were involved;
- Inconsistencies with documentation of instances when multiple youth were split programming over multi days;

- Corrections Supervisors receiving information from mental health and medical staff regarding restrictive housing assessments performed, but not entering the information in JMS;
- Incomplete information entered into JMS regarding restrictive housing incidents;
- Discrepancies between details documented by JDOs on Youth Accountability Checklists (where youth activities and location, including restrictive housing, are noted at 15-minute intervals) and information documented by Corrections Supervisors on the Restrictive Housing Assessment Checklists in JMS;
- Including sleep and rest times or time in modified programming in the calculation of time in restrictive housing, resulting in data that can be over-inclusive as to the number of restrictive housing incidents and/or the total time a youth experiences restrictive housing.

Proviso P3 directs that the monitoring team's report include a review of the documentation of supervisory review before the use of solitary confinement,¹² including identification of the number of incidents exceeding two hours when supervisory review did not occur and an evaluation of each incident.¹³ However, the data reliability issues noted above contributed to difficulties in identifying and analyzing restrictive housing/solitary confinement events exceeding two hours when supervisory review *did not* occur.

While there were challenges encountered in analyzing supervisory review of solitary confinement, it is important to note that the monitoring team is confident that Corrections Supervisors nonetheless are routinely involved in restrictive housing decisions exceeding two hours, and there are checks and balances to ensure continual assessment of the need to keep a youth in confinement. Time in restrictive housing is tracked by JDOs in 15-minute intervals throughout the day, with the documentation reviewed by others in the Juvenile Division, and the circumstances surrounding each youth in restrictive housing are reviewed by DAJD staff and the mental health and medical team in daily MDT meetings.

When documentation was lacking or inconsistent regarding supervisory review of restrictive housing, whether or not it exceeded two hours, the underlying behavioral event generally involved

¹² Documentation reviewed during the monitoring process included material related to supervisory review *before* the use of solitary confinement, though the focus of review has been on incidents which actually result in restrictive housing, i.e., room confinement that lasts 60 minutes or longer. Thus, Youth Accountability Checklists were considered on which JDOs document each youth's activity every 15 minutes, including notation regarding youth confined to their room, even if confinement was less than 60 minutes. Supervisors review the Youth Accountability Checklists and occasionally make a note concerning a JDO's entry, though the Checklists as a rule do not provide substantive information concerning supervisory involvement *before* the use of restrictive housing.

¹³ RCW 13.22 and K.C.C. Chapter 2.65 both require that a supervisor check in with the youth within two hours of placement into restrictive housing, and then every four hours (except for ordinary sleep periods).

multiple youth in one dorm, youth in multiple dorms, or other facility-wide safety or security concerns. The primary form used to track restrictive housing is the Restrictive Housing Assessment Checklist. Corrections Supervisors are contacted by JDOs during the decision to confine a youth to their room for 60 or more minutes, and the decision and a description of the youth's behavior resulting in confinement are documented on the Restrictive Housing Assessment Checklist form. When multiple youth were involved in an event leading to restrictive housing, sometimes a separate form was not initiated or thoroughly completed for each involved youth. Analyzing documentation was further complicated when multiple youth were split programming over multiple days. Other data reliability concerns identified above also contributed to difficulty in analyzing the issue of supervisory review, such as documentation that erroneously included sleep and rest times or time in modified programming in the calculation of time in restrictive housing, resulting in data that could be over-inclusive as to whether the two-hour threshold for supervisory review was required. Thus, though an initial attempt was made to identify and evaluate restrictive housing incidents exceeding two hours when supervisory documentation was missing, such that it appeared supervisory review did not occur, the monitoring team was unable to provide the analysis sought by Proviso P3 in this regard, at least without the expenditure of significant time and resources.

The monitoring team is aware of steps being taken by the Juvenile Division to address data reliability concerns and is optimistic that the process of analyzing supervisory review of restrictive housing events exceeding two hours will be more feasible in the future. Some of these changes are summarized in the following discussion.

On a positive note, as of March 20, 2025, the Juvenile Division is no longer using the hard copy Youth Accountability Checklists, and all restrictive housing documentation is now being entered electronically in JMS using functions called "Security Checks" and "Movements." The Youth Accountability Checklist is where the JDO noted, every 15 minutes, youth activities and location. The 15-minute checks provide assurance as to the safety and security of all youth, and the Youth Accountability Checklist is where the JDO tracks youth time in restrictive housing. Now the 15-minute checks will be entered into JMS by the JDO, eliminating the massive quantities of paper associated with the hard copy checklists and difficulty, at times, in discerning the handwriting of many JDOs involved.¹⁴ Having the information automatically associated with other restrictive housing data in JMS will hopefully cut down on discrepancies seen between the hard copy Youth Accountability Checklists and the Restrictive Housing Assessment Checklists electronically maintained in JMS, as Corrections Supervisors will have easier access to JDO data. JMS reporting will also be facilitated by the change.

¹⁴ The JDOs usually added brief comments to the back of the form when activities for a single or multiple youth or an entire living hall might benefit from more explanation, such as noting why a youth was assigned to restrictive housing or to record that all youth were in their rooms at particular times for staff breaks.

The transition from hard copy to electronic documentation of the 15-minute security checks created challenges in analyzing restrictive housing data for the transition period. Although the data was recorded and maintained, it is in a new format, making it challenging to conduct a direct comparison. Consequently, the monitoring team and the DAJD mutually determined that it would be best to include data from March 20 - March 31, 2025, in the next report.

Another significant positive change relates to the documentation of mental health and medical assessments. Though the monitoring team and DAJD staff are confident that these assessments take place when required (which is dependent on the length of time a youth is in restrictive housing), the process for documenting the assessments was problematic. The mental health and medical providers did not have access to JMS to directly record their assessments of youth in restrictive housing. Instead, the providers sent the Corrections Supervisor an email with assessment details, and the Supervisors entered the information into JMS. If the Corrections Supervisor was too busy or went off duty before having an opportunity to record the providers' assessment details in JMS, and did not follow-up when time permitted, these assessments were not formally documented. During Q1 2025, a new protocol was established whereby support staff from the Health Clinic are responsible for documenting mental health and medical assessments in JMS, based on emails from the providers. The Health Clinic manager indicated that he is copied on the assessment emails and will provide quality control and back-up to the medical assistant, as needed. Based on this change, there is reason to be optimistic that the documentation for completion of mental health and medical assessments will increase accordingly.

To improve the reliability of restrictive housing data in the Juvenile Division, the department designated a single point of oversight for the quality assurance process, which is expected to enhance consistency and accountability. This will help ensure data accuracy closer to real time by flagging any issues early so they can be addressed before there are major impacts on the quality of the information recorded.

DAJD is facing a significant challenge with the rising number of youth threats and assaults, particularly those against staff members. The percentage of assaults where a JDO was the intended victim increased from 5% to 10% during the April 1, 2024, - March 31, 2025, monitoring review period. Youth assaultive behavior against peers also has increased and many assaults on staff are related to youth assaulting their peers, with youth threatening or assaulting staff in response to a use of force to quell the underlying peer assault. In addition, JDOs report that youth are increasingly disrespectful of staff and use gender or racial slurs, do not following staff directions, and make threats to assault staff.

There continues to be progress and refinement in programming alternatives at the CCFJC. The King County Council included funds in the 2025 Annual Budget for DAJD to convert the Community Services Coordinator and Gang Intervention Specialist contract positions into permanent positions, along with budgeting for community service provider contracts. Predictable and consistent programming provides a means to engage youth and deter conflict, while the Gang Intervention Specialist can help mitigate conflict and assist in ensuring programming is not disrupted. Council is to be commended for recognizing how valuable both of these positions are for working successfully with youth detained at CCFJC.

Another area in which DAJD has made progress is with regards to modified programming, which is the confinement of youth to their rooms for staff breaks, staff shortages, or due to other administrative needs. For Q1 2025, there were zero instances of modified programming aside from the designated times youth return to their dorm to accommodate staff breaks in the Juvenile Division, compared to a high of 22 days with modified programming in October 2024.

With regards to setbacks, the total and monthly average number of restrictive housing incidents has increased over the past three years, to a high of 620 incidents during the current reporting period. However, the average amount of total time spent in restrictive housing has steadily decreased, down to 302 minutes for April 1, 2024 - March 19, 2025, from a high of 444 minutes during the period April 1, 2022 - June 30, 2023.

IV. RESTRICTIVE HOUSING DATA TRACKING (PROVISO 3 - B, C, D, E, F, & G)

A. Juvenile Division: Restrictive Housing Data Tracking

As discussed above in Section III, as of March 20, 2025, JDOs are entering information electronically into JMS regarding their 15-minute security checks. This is an important change for the Juvenile Division's restrictive housing documentation. Reconciling restrictive housing entries on the Youth Accountability Checklist completed by the JDO with other documentation maintained electronically was complicated and very time consuming. In contrast, JMS can create real-time reports so that the Juvenile Division can more quickly assess whether restrictive housing is being appropriately documented and tracked. Issues with data entry, including missing or inaccurate information, can be addressed more immediately, allowing for more reliable data.

The move to all electronic record keeping should also make it easier to focus on improving consistency with regards to describing a youth's behavior that results in restrictive housing, though

changes to JMS might still be needed to make it more user friendly.¹⁵ While the *type* of juvenile behavior that requires a restrictive housing response (i.e., assault, threat, disruptive) is routinely noted in the documentation maintained, there is still inconsistency as to the level of detail provided about each incident, though this appeared to improve in recent months. The different staff and levels of review and assessment involved with restrictive housing incidents provide a measure of assurance that the need for restrictive housing is well considered. However, for the monitoring process, the detail in documentation is important in evaluating whether restrictive housing is necessary to prevent imminent and significant physical harm to the youth or others, as required by K.C.C. Chapter 2.65 and RCW 13.22.

While DAJD is taking steps to address data-related problems, it is difficult to draw meaningful conclusions regarding some of the restrictive housing data analyzed below. Also, the switch from hard copy to electronic entry of the 15-minute security checks as of March 20, 2025, made it challenging to review any data from the last part of March. Thus, most of the analysis in this report is limited to restrictive housing data that was available from April 1, 2024, to March 19, 2025. During that period of time, there were 620 restrictive housing incidents involving a total of 379 juveniles. Details concerning these incidents and other information are summarized below.

Finally, Proviso 3.C provides that the monitoring report for this review period should identify and evaluate the number of incidents exceeding four hours, or 240 or more minutes. There were a total of 216 restrictive housing incidents that exceeded four hours, ranging from 240 minutes to 2340 minutes, with an average time of 645 minutes in confinement. Where charts or other figures are used below to illustrate the data regarding restrictive housing incidents of 240+ minutes, they are presented in gray scale, to help differentiate the information from that provided for all reported restrictive housing events.

¹⁵ A report by the Development Services Group, Inc. for DAJD titled, "Juvenile Detention Safety and Security Analysis (October 3, 2023)," p. 30, offered a number of ideas to improve data quality and make JMS easier to use without losing information, such as the use of a check-the-box format for all data elements and the formulation of variables requiring yes/no responses, followed by a narrative section, if necessary.

**1.1 DAJD Juvenile Division
Restrictive Housing Incidents for Current
and Prior Two Reporting Periods¹⁶**

Restrictive Housing Monitoring Reporting Period	April 1, 2022 - June 30, 2023 (15 months)	July 1, 2023 - March 31, 2024 (9 months)	April 1, 2024 - March 19, 2025 (11 1/2 months)
Number of Restrictive Housing Incidents	520	415	620
Average Number of Restrictive Housing Incidents per Month	35	46	54

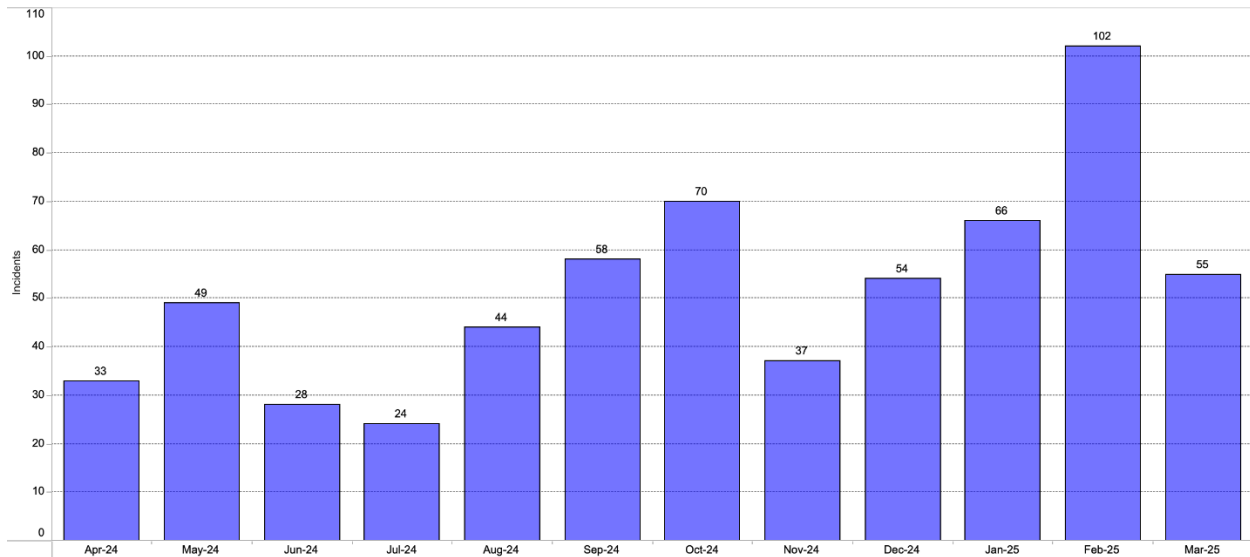
Because the number of months included in a reporting period varied over time, it is useful to consider the average number of restrictive housing incidents per month, rather than the total number reviewed during each evaluation period. As seen in Table 1.1 above, the average number of incidents per month has steadily increased over the past three years. Factors that can contribute to the increase are staff turnover and shortages, a continually high ADP of juveniles in custody, a high number of youth being booked on more serious charges and with complex needs that manifest in challenging behaviors, and a longer ALOS for all youth in secure detention. As previously noted, these challenges can impact how frequently restrictive housing is used, whether there are sufficient numbers of staff who are experienced in responding to and de-escalating conflict among the youth at the CCFJC, and the number of living halls that can be adequately staffed and available for changes in hall assignments as a strategy to deter conflict (or for reassignment, as an alternative behavior response).

In reviewing the data, regular sleep and rest times were sometimes erroneously included when calculating a youth's total time in restrictive housing, though it was not possible to measure the extent of the error. Only restrictive housing incidents lasting 60 or more minutes are reported and,

¹⁶ RCW 13.22 became effective in December 2021, providing additional regulation of the use of confinement and isolation of youth in detention facilities. The conditions under which a youth can be isolated pursuant to RCW 13.22 are more stringent in some ways than those permitted under K.C.C. Chapter 2.65. Because April 1, 2022 - June 30, 2023, was the first full reporting period that King County juvenile restrictive housing incidents were measured against RCW 13.22 requirements, restrictive housing data from earlier monitoring reports is not included in Table 1.1.

because including sleep and rest periods could move a restrictive housing incident lasting less than 60 minutes into the reportable category, it is possible that the number of incidents (620) noted for April 1, 2024 - March 19, 2025, is at least slightly inflated.

1.2 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Restrictive Housing Incidents by Month
(n = 620)



Looking at the data in Figure 1.2, it is apparent that there was an increase in the number of restrictive housing incidents in February 2025, as compared to the prior 10 months. There were a high number of incidents throughout February and two significant events involving the same living hall and almost identical groups of six juveniles. The youth were in possession of contraband and assaulted staff, causing multiple injuries. Because of the number of youth involved, group split-programming was used, with juveniles split into two groups for school and programming activities. While restrictive housing for the youth involved in the two incidents was lengthy, it appeared that all staff reviews and assessments were appropriately conducted. Adding to the high number of incidents in February, later in the month and during a JDO shift change, four of the youth involved with the first two significant events gathered together and behaved as if they were getting ready to assault another youth. After several days of restrictive housing and split programming, and a refusal to commit to safely interacting with their peers, living hall reassignments were made. The process of reclassification often requires thoughtful consideration, analysis of housing options in other units, and collaboration with several stakeholders.

1.3 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Restrictive Housing Incidents by Month
(n = 216)

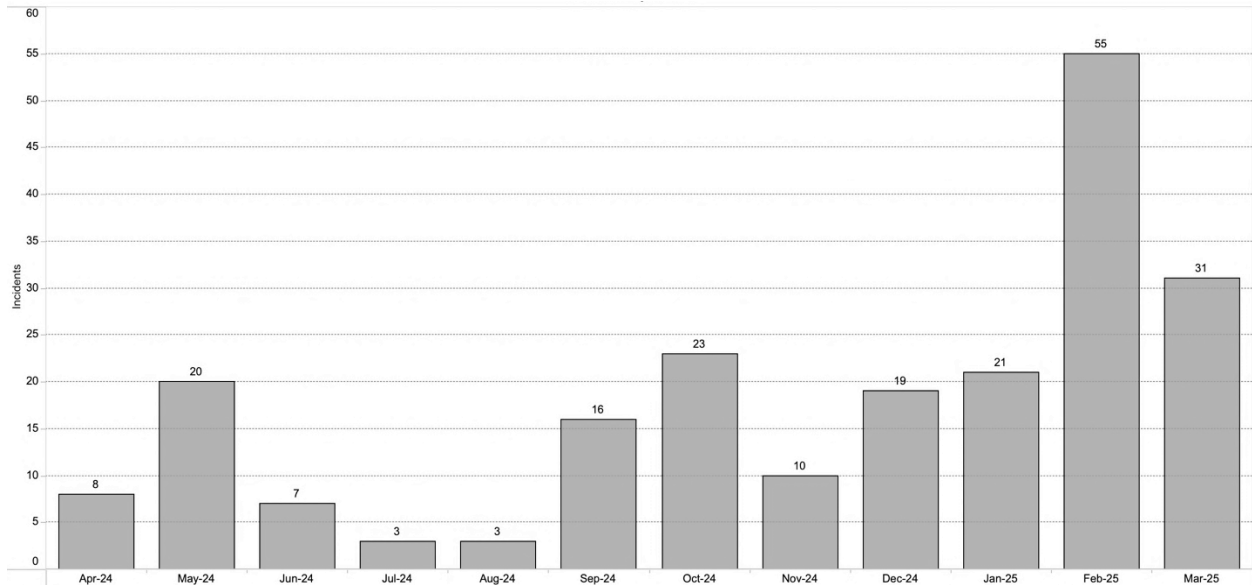
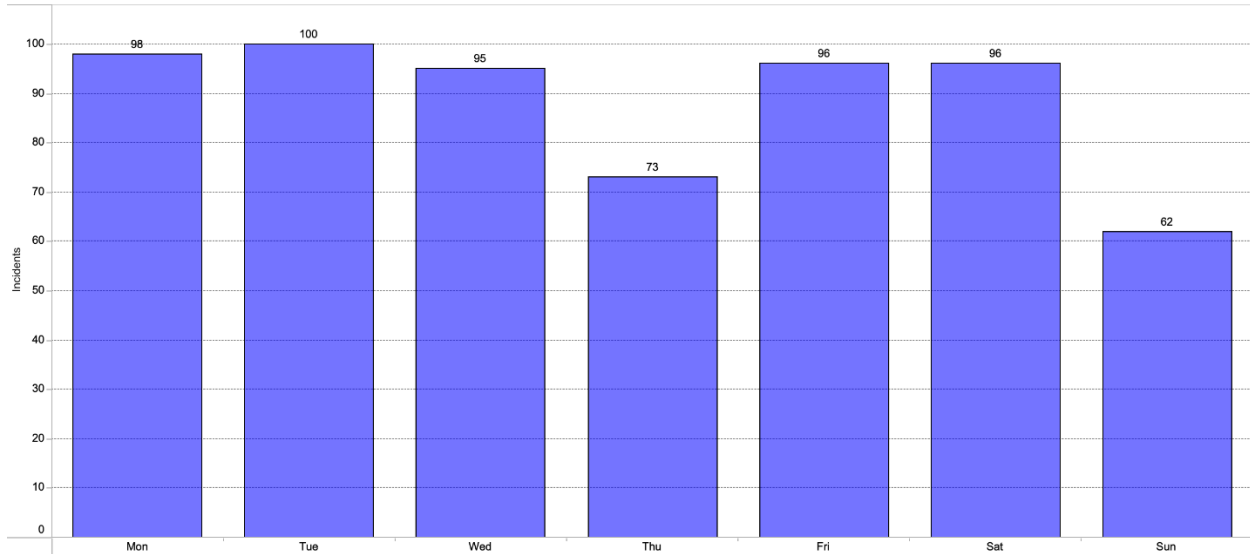


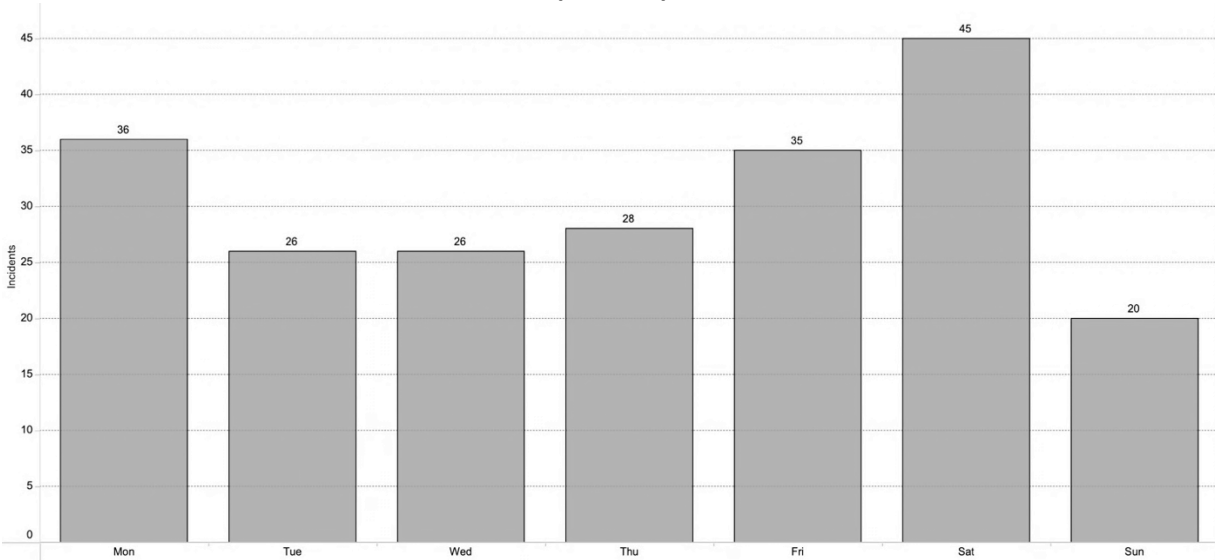
Figure 1.3 also illustrates a significant increase in February 2025 of restrictive housing incidents exceeding 240 minutes (4 hours). Given the number of youth from one living hall involved in recurring events leading to restrictive housing in February, as discussed above, split programming, individual youth regulation, restorative problem solving among the youth, and the process for making living hall reassignments resulted in more time in restrictive housing than usual.

1.4 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Restrictive Housing Incidents by Day of the Week
(n = 620)



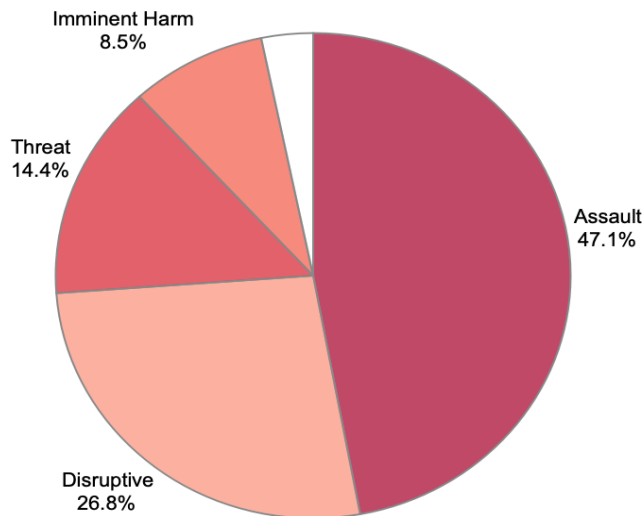
During the prior monitoring review period, the highest number of incidents leading to restrictive housing occurred on Fridays and Saturdays. In comparison, for the period April 1, 2024 - March 19, 2025, the highest number of restrictive housing incidents arose on Tuesdays. However, there is little variation between the numbers of incidents developing on Mondays, Tuesdays, Fridays, and Saturdays, ranging from 95 - 100. As noted in the last report, some JDOs had pointed to the lack of weekend programming resulting in boredom and tension among the youth, leading to more conflict and the potential need to respond with restrictive housing. The Juvenile Division indicated that it would prioritize partnering with community-based organizations to provide programming on weekends and other periods when youth are less likely to be engaged with school and other activities. To the extent this occurred, more programming on Fridays and Saturdays does not appear to have resolved the issue of high numbers of behavioral issues occurring that require a restrictive housing response. Additional factors, such as the tendency for the least experienced staff to be assigned to weekend shifts, likely warrant further analysis.

1.5 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Restrictive Housing Incidents by Day of the Week
(n = 216)



For juveniles experiencing restrictive housing for 240+ minutes, the behavior resulting in an assignment to restrictive housing occurred most frequently on Saturdays.

1.6 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth Behavioral Reasons for Restrictive Housing
(n = 620)



1.7 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Comparing Youth Behavioral Reasons for Restrictive Housing in Current
and Previous Monitoring Reporting Periods

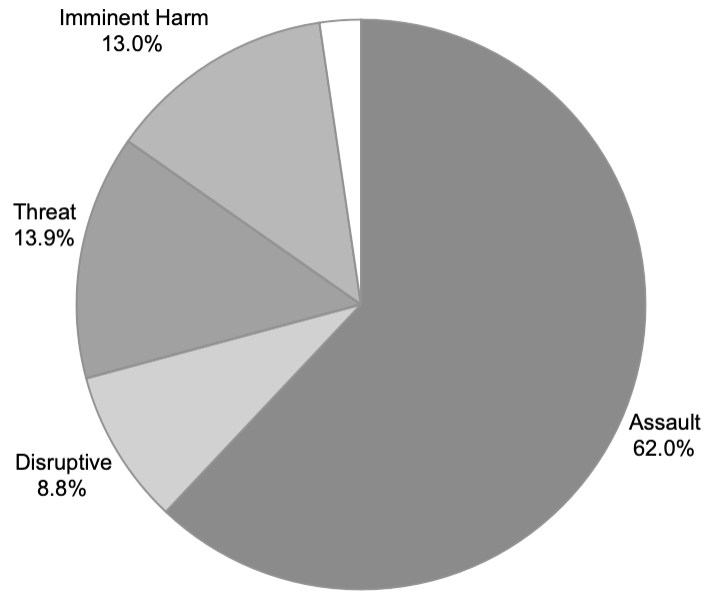
Behavioral Reason for Restrictive Housing	April 1, 2022 - June 30, 2023 (15 months) (n = 520 incidents)	July 1, 2023 - March 31, 2024 (9 months) (n = 415 incidents)	April 1, 2024 - March 31, 2025 (11 1/2 months) (n = 620 incidents)
Assault	48%	39%	47%
Threat	22%	50%	14%
Disruptive	6%	4%	27%
Imminent Harm	23%	5%	9%
Other or Unknown	1%	2%	3%

While the *type* of juvenile behavior that requires a restrictive housing response (i.e., assault, threat, disruptive) is nearly always documented, there was inconsistency as to the level of detail provided about each incident, though this generally improved in recent months. The detail is important in evaluating whether restrictive housing is necessary to prevent imminent and significant physical harm to the youth or others, as required by K.C.C. Chapter 2.65 and RCW 13.22.

During the last monitoring review period, there had been an increase in restrictive housing in response to youth making verbal threats and a decrease in imminent harm indicators leading to restrictive housing. For the period April 1, 2024 - March 19, 2025, identifying threats as the behavior resulting in restrictive housing decreased from 50% to 14%, while the number of times imminent harm was listed as the underlying behavioral trigger almost doubled, though was still significantly less than seen in the April 1, 2022 - June 30, 2023. Since restrictive housing should only be used when it is "necessary to prevent imminent and significant physical harm to the juvenile detained or to others and less restrictive alternatives were unsuccessful,"¹⁷ imminent harm actually should be a consideration for all circumstances leading to restrictive housing, as opposed to being used as a separate type of unacceptable behavior that could result in restrictive housing.

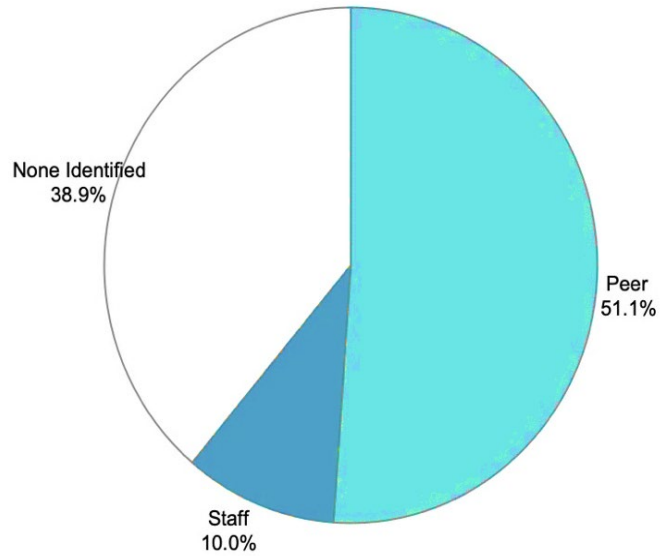
¹⁷ K.C.C. Chapter 2.65.020.

**1.8 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Behavioral Reasons for Restrictive Housing
(n = 216)**

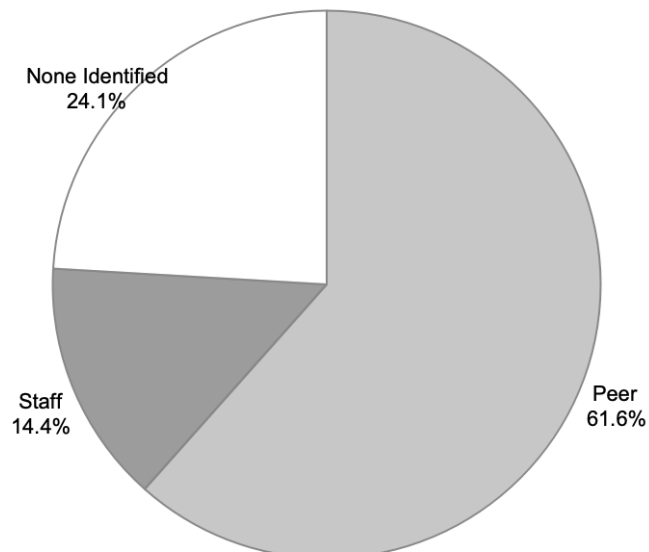


Similar to the data reported above for all restrictive housing incidents, restrictive housing events of 240+ minutes was most often necessary due to juveniles engaging in assaultive behavior, which accounted for 62% of these incidents. Disruptive behavior leading to restrictive housing of 240+ minutes was only noted in approximately 9% of the incidents, as compared to 27% of all incidents. The comments above regarding the use of imminent harm to explain the need for restrictive housing clearly apply to events of 240+ minutes, too.

1.9 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth Instigating Aggressive Incidents - Victim Type
(n = 620)



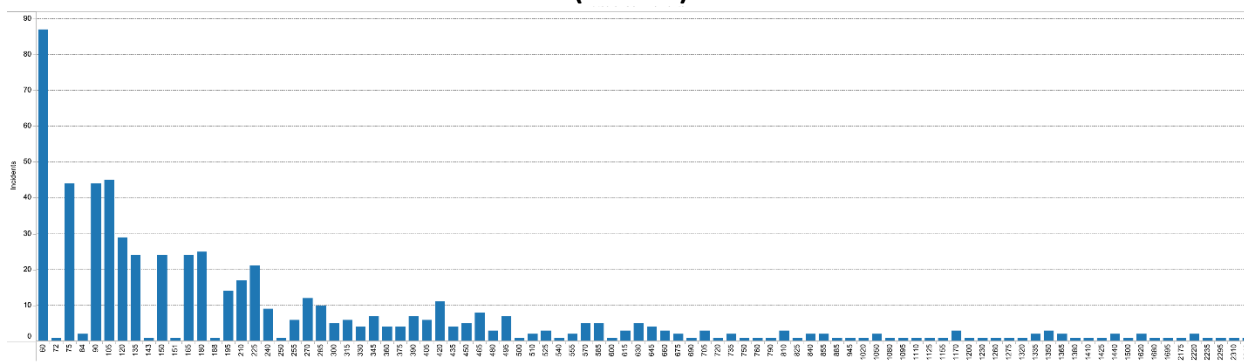
1.10 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Youth Instigating Aggressive Incidents - Victim Type
(n = 216)



When youth engage in aggressive behavior that cannot be de-escalated and results in restrictive housing, the target of their behavior is usually another youth, as was the case during the current monitoring review period, when a peer was the identified victim in 51% of all incidents and 62% of incidents resulting in 240+ minutes of restrictive housing. In the monitoring team's last report, another youth was documented as the intended victim in approximately 42% of the incidents. However, the data reviewed for that report also included a category of "staff and peer" in 2% of the incidents, whereas the current data did not include this combined category. The number of incidents in which the type of victim was not identified decreased by 14% when considering all incidents, from 53% during July 1, 2023 - March 31, 2024, down to approximately 39% in the period April 1, 2024 - March 19, 2025. The number of incidents in which the type of victim was not identified when resulting in 240+ minutes of restrictive housing was even lower, 24%. DAJD personnel are commended for providing more detail in their documentation regarding these events.

JDOs, Corrections Supervisors, and others in the Juvenile Division understandably express concern about the frequency of staff being assaulted by juveniles in secure custody at the CCFJC. As noted above, staff assaults are often related to youth assaults against their peers, in that youth may threaten or assault staff in response to force used by staff to suppress the underlying youth assault against a peer. Figure 1.9 indicates staff were targeted in 10% of all incidents of juveniles engaging in aggressive behavior that resulted in restrictive housing. This is double the 5% of incidents documented in the last reporting period (3% of incidents when staff were targeted alone and 2% when staff and peers were both targeted). Figure 1.10 shows that staff were the target in 14% of events leading to 240+ minutes of restrictive housing. Some staff assaults have caused serious injury and resulted in the need for the involved JDO(s) to take leave and/or be on transitional duty, which also can contribute to the problem of staff shortages.

1.11 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Range of Time (Minutes) in Restrictive Housing
(n = 620)



1.12 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Average Time (Minutes) in Restrictive Housing
(n = 620)



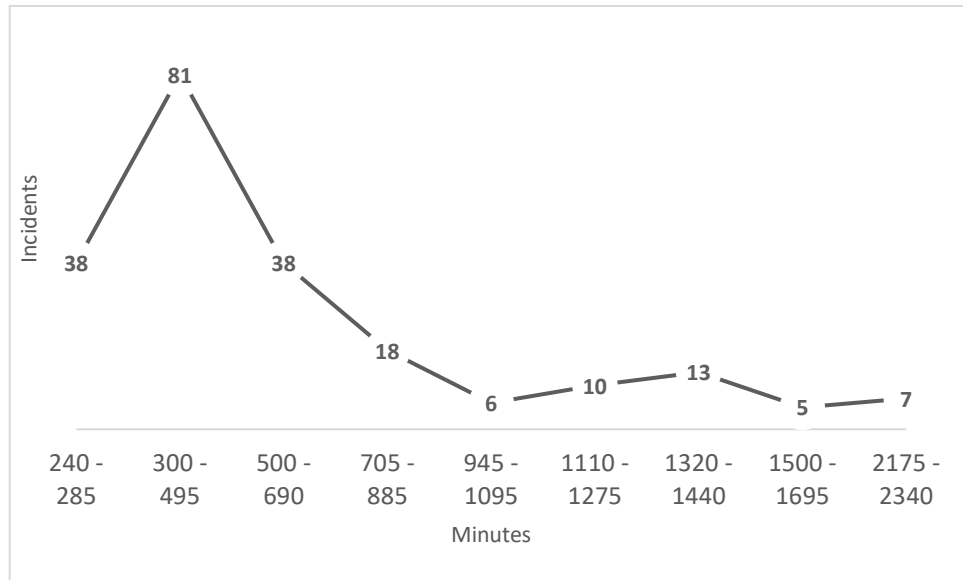
As has been the case in all reviews of restrictive housing data, the higher the number of minutes in restrictive housing, the fewer the number of youth confined for those lengthier periods of time. The average number of minutes a youth spent in restrictive housing for the period April 1, 2024 - March 19, 2025, was 302 minutes, as compared to 360 minutes averaged during the last review period, July 1, 2023 - March 31, 2024, and 444 minutes in restrictive housing averaged April 1, 2022 - June 30, 2023. This represents a continual decrease in the average time spent in restrictive housing since April 2022, down by 142 minutes over the past three years. Since the data discussed above demonstrates an increase in the frequency of assignment to restrictive housing (from an average of 35 incidents/month during April 1, 2022 - June 30, 2023, to an average of 54 incidents/month from April 1, 2024 - March 19, 2025), the decrease in average time spent in confinement is encouraging.

1.13 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Number of Restrictive Housing Incidents, Number of Youth Involved,
and Average Time in Restrictive Housing by Month
(n = 620)

	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25
Number of Incidents	33	49	28	24	44	58	70	37	54	66	102	55
Number of Youth Involved	26	32	21	21	35	38	37	27	32	33	43	34
Average Time in Restrictive Housing	258	241	191	185	129	178	206	239	324	280	550	465

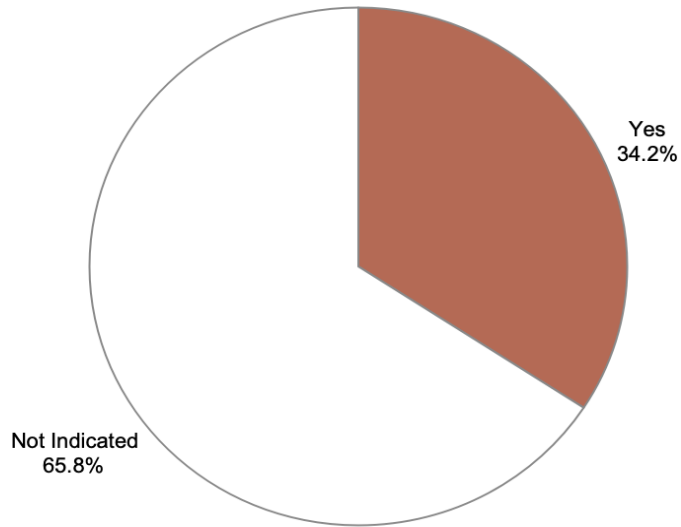
Figure 1.13 builds on the information presented in Figure 1.2, which considered the number of restrictive housing incidents by month. Adding information on the number of youth involved and average time in restrictive housing by month, February 2025 continues to stand out as representing an unusually challenging time for management of youth behavior at CCFJC. Youth repeatedly threatened staff, along with engaging in concerted assaults against staff that resulted in serious injuries. This behavior was in addition to threats and assaults against peers and an increased level of misbehavior in class, leading to juveniles being sent to their rooms for restrictive housing.

1.14 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Number of Incidents and Time in Restrictive Housing
(n = 216)

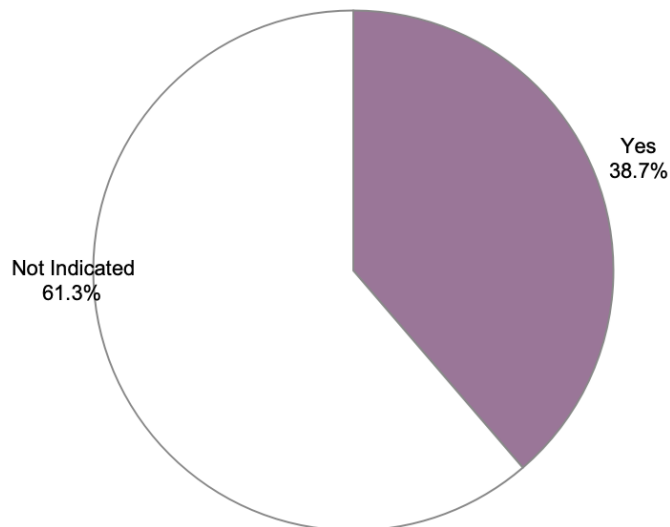


With regards to restrictive housing of 240+ minutes, which ranged from 240 to 2340 minutes, other than some small variation in the time frames presented in Figure 1.14, the higher the number of minutes in restrictive housing, the fewer the number of incidents leading to youth confined for lengthier periods of time. There was an average time of 645 minutes in restrictive housing among the 216 incidents that exceeded four hours.

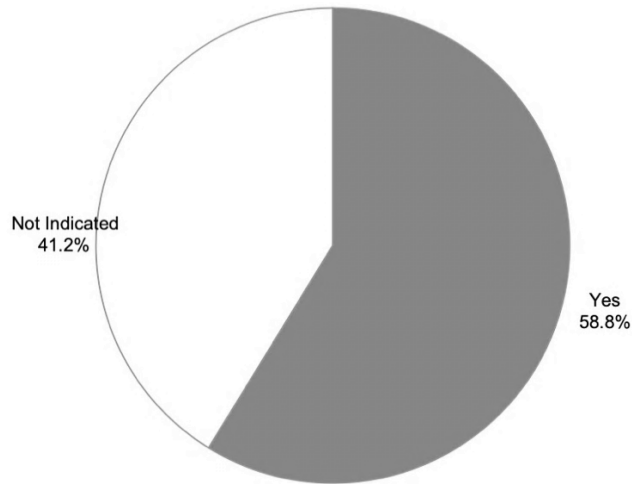
1.15 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Mental Health Assessments for Youth in Restrictive Housing
(n = 620)



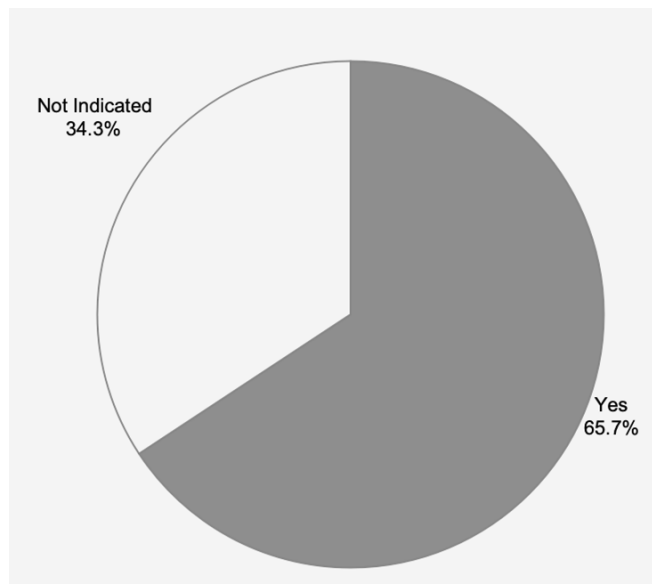
1.16 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Medical Assessments for Youth in Restrictive Housing
(n = 620)



1.17 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Mental Health Assessments for Youth in Restrictive Housing
(n = 216)



1.18 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Medical Assessments for Youth in Restrictive Housing
(n = 216)



Documentation of medical and mental health assessments of youth in restrictive housing was reviewed, along with input from medical and mental health staff and others, including youth, about the assessment process. K.C.C. Chapter 2.65 and RCW 13.22 require that a youth in restrictive housing be evaluated, and a care plan developed by a mental health professional as soon as possible within four hours of placement in restrictive housing. Youth are to be evaluated by a medical professional as soon as possible within six hours of placement in restrictive housing or before an ordinary sleep period, and at least once per day thereafter.

When considering all restrictive housing incidents, the percentage when mental health checks were not documented increased slightly, from 63% during the reporting period June 1, 2023 - March 31, 2024, to about 66% during the current monitoring review period. However, the number of incidents when medical health checks were not indicated decreased, from approximately 67% to 61%. During the reporting period, mental health and medical professionals used emails to communicate an assessment had been conducted, however, these proved challenging to analyze. Looking at the data for restrictive housing incidents of 240+ minutes, mental health assessments were recorded in 59% of the events, a 25% higher rate than seen in the data for all restrictive housing. There were similar results for medical assessments, with 66% of the incidents including documentation that the assessments were completed.

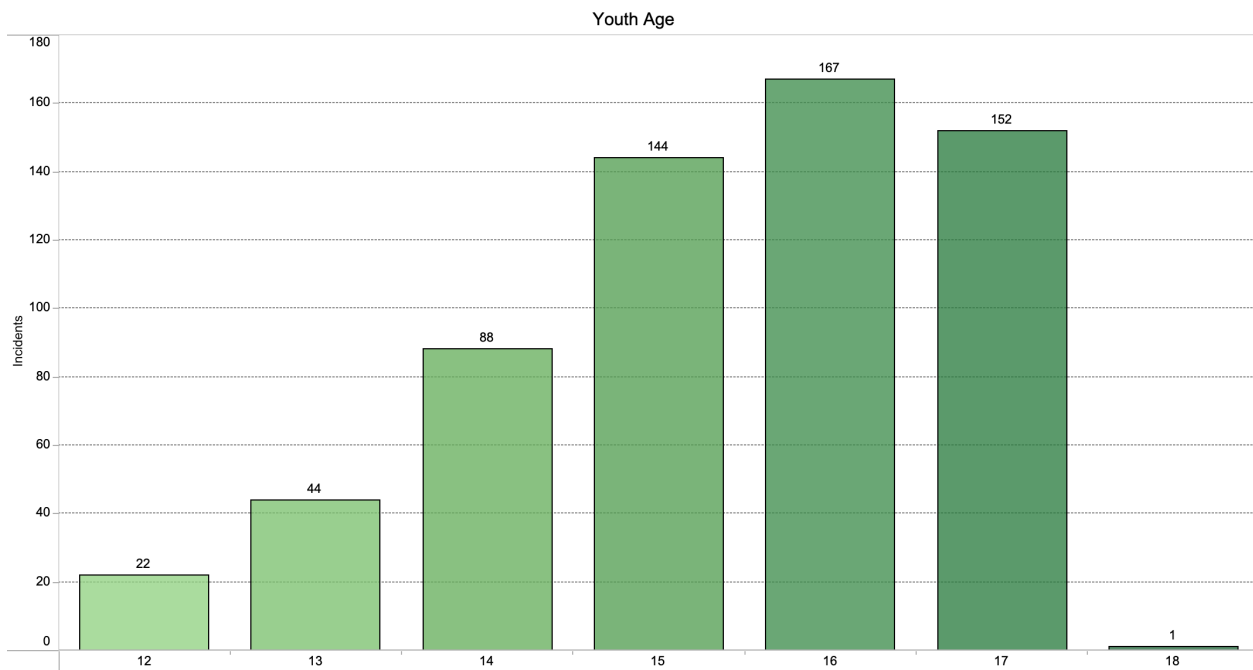
However, the percentage of mental health and medical checks documented is based on all restrictive housing incidents reported between April 1, 2024, and March 19, 2025, or all that exceeded 240 minutes, not just those incidents when an assessment was required. Thus, if a youth was in restrictive housing for 2 hours, a mental health check might have been completed, though if it was not, law and policy would not have required the assessment since the youth's time in restrictive housing was under 4 hours. Accurately computing the number of mental health and medical assessments completed is further complicated by the fact that juveniles rarely remain in restrictive housing for hours at a time; rather, efforts are made to have the youth attend school classes or engage in programming activities throughout the day, even if on a split programming basis.

In any case, mental health and medical providers are visiting the living halls throughout the day, dispensing medication, checking on juveniles in restrictive housing, and counseling other youth. For example, medical staff indicated that they are in each living hall at least twice/day in order to distribute medications and that they often conduct medical assessments of youth in restrictive housing at that point, even if an assessment is not technically due. Whether required or not, it is likely that mental health and medical assessments are occurring well within the required time. Now that DAJD has worked out an alternative to having Corrections Supervisors document

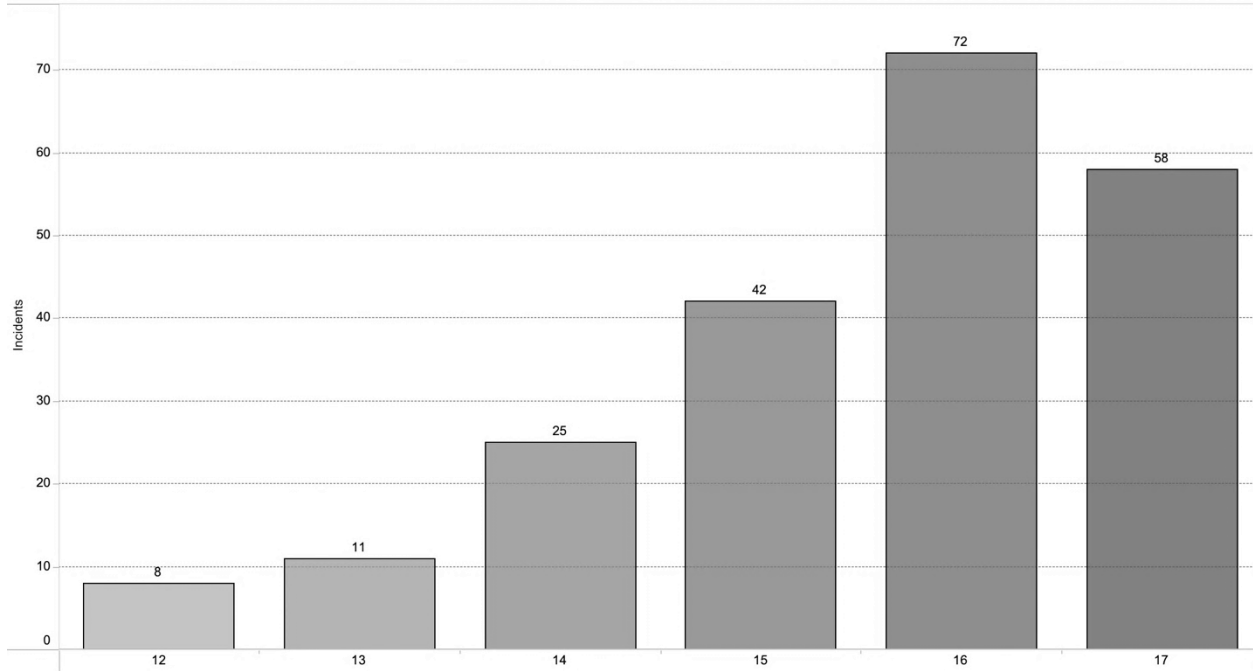
information about the mental health and medical checks, it is hoped that more accurate data regarding these checks will be documented going forward.

Furthermore, the mental health and medical care providers meet with DAJD staff and others for a daily MDT meeting. The MDT team discusses all youth who are demonstrating unsafe or otherwise troubling behavior, including any in restrictive housing. The mental health team provides an assessment of each youth discussed in the meeting or after being informed that a youth is on restrictive housing. The mental health care providers also meet with Corrections Supervisors every morning to discuss youth on restrictive housing and then follow-up to assess the youth. If there are youth with behavioral health needs requiring attention, whether on restrictive housing or not, an action plan is formulated during MDT or the supervisory meetings to address the juvenile's needs and help them self-regulate and reintegrate with the rest of their living hall peers.

1.19 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Age of Youth in Restrictive Housing Incidents
(n = 620)



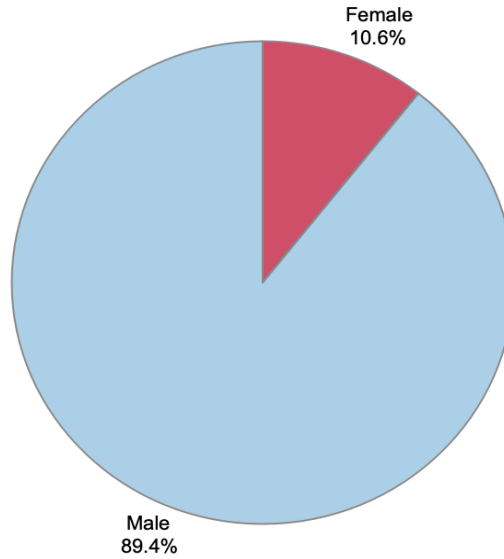
1.20 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Age of Youth in Restrictive Housing Incidents
(n = 216)



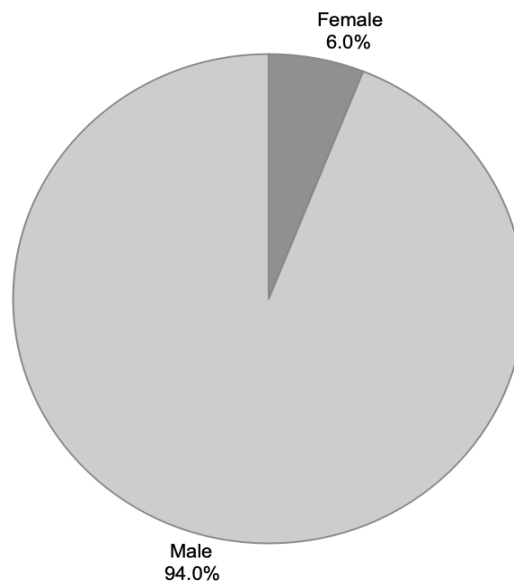
In the last report, most incidents leading to restrictive housing involved 16 and 17 year old youth. During the current reporting period, particularly in regard to all restrictive housing events, 15 year old juveniles joined the 16 and 17 year olds, representing a significant percentage of youth participating in events requiring a behavioral response of restrictive housing. While comparative data is not available for incidents of 240+ minutes duration from earlier reports, for the current monitoring period, 15 year old juveniles also were the third highest age group involved in these incidents.

The recommendation has been made in previous monitoring reports that living hall assignments should be made based on age, developmental stage, and/or other factors, to reduce opportunities for older juveniles to negatively influence the behavior of younger detainees, and to limit the frequency of situations where threatening or aggressive behavior is directed towards younger youth by those who are older. DAJD has indicated the recommendation is being explored by the Juvenile Division, along with other evidence-based approaches to living hall assignments.

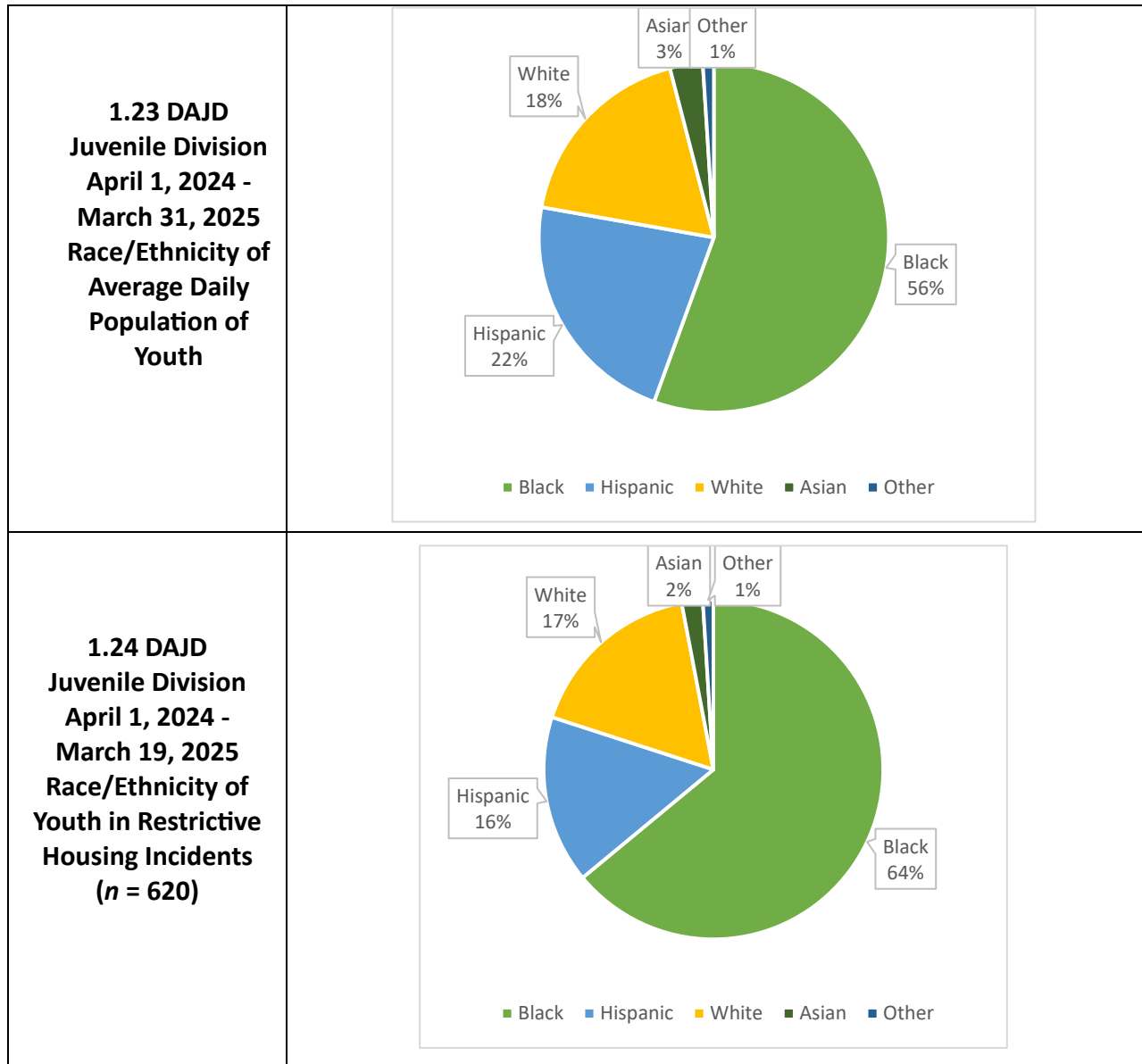
1.21 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Gender of Youth in Restrictive Housing Incidents
(n = 620)



1.22 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Gender of Youth in Restrictive Housing Incidents
(n = 216)



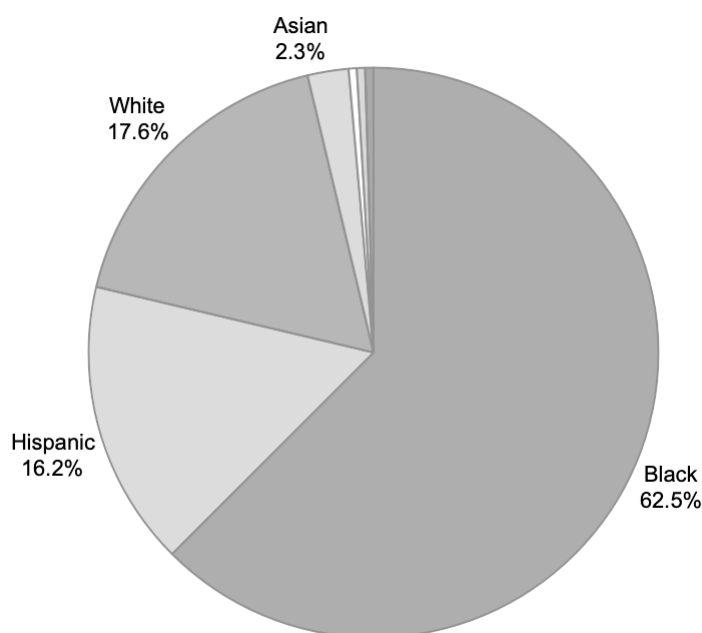
During the months April 1, 2024 - March 19, 2025, 91.2% of the ADP detained at CCFJC were males and 8.8% were female. Thus, females were slightly over-represented in the population of all youth assigned to restrictive housing - 10.6% versus their 8.8% ADP representation - and males were slightly under-represented. The gender breakdown of youth in restrictive housing during the last review period was only slightly different - 88.9% of youth who were assigned to restrictive housing were male and 11.1% were female. Looking at the data for youth in restrictive housing 240+ minutes, only 6% were female.



As seen with the data reviewed in the monitoring team's last report, there are some differences in the race/ethnicity distribution of juveniles in restrictive housing during the period April 1, 2024 -

March 19, 2025, as compared to the race/ethnicity of the ADP of youth booked into detention during the twelve month period, April 1, 2024 - March 31, 2025.¹⁸ Black youth represent 56% of the ADP for all youth booked into secure detention during this period, while 64% of youth assigned to restrictive housing were Black. Hispanic youth accounted for 16% of juveniles who experienced restrictive housing, while they were 22% of the juvenile ADP during the current monitoring review period. White youth represented 18% of the ADP for all youth booked into detention and accounted for 17% of youth placed into restrictive housing. Three percent of the ADP for the juvenile facility were Asian, while 2% of youth who experienced restrictive housing were Asian.

1.25 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Race/Ethnicity of Youth in Restrictive Housing Incidents
(n = 216)



Approximately 63% percent of the youth assigned to restrictive housing for 240+ minutes are Black, while 16% are Hispanic, 18% are White, and 2% are Asian. This demonstrates only slight differences in the race/ethnicity distribution in this group, as compared to the data for all youth in restrictive housing.

¹⁸ Note that because of the switch from using hard copy documentation for the mandatory 15-minute security checks to entering that data electronically beginning March 20, 2025, the restrictive housing data set only runs through March 19, 2025. The race/ethnicity data for the CCFJC ADP includes the full twelve months, April 1, 2024 - March 31, 2025.

B. Adult Divisions: Restrictive Housing Date Tracking of Adult Age-Outs

The number of Adult Age Outs (AAOs) who are housed at the DAJD Adult Divisions' King County Correctional Facility (KCCF) or the Maleng Regional Justice Center (MRJC) increased during the current reporting period. While there were 11 AAOs at the time of Independent Monitoring interviews at KCCF and MRJC in 2023 and 2024, there were 13 AAOs detained in an adult facility when AAOs were interviewed in 2025. Thirteen AAOs amount to two to three times as many AAOs for the Average Daily Population (ADP) reported for the third and fourth quarters in 2020 and first quarter of 2021.

Despite this growth in numbers, AAOs still comprise only a very small group within the overall population of DAJD Adult Divisions detainees.¹⁹ This results in different policies, procedures, and tracking of AAO restrictive housing as compared to processes in place at the juvenile facility. The adult facilities use a system of publishing a daily list of AAOs with booking information, jail location, and other brief details about each AAO. These daily lists are distributed to each facility's managers and supervisors, who are tasked with monitoring living assignments for the AAOs included on the daily document. AAOs wear a yellow wristband, facilitating easy identification by Correctional Officers and other DAJD staff.²⁰

The DAJD Adult Divisions reported relatively few instances of restrictive housing for AAOs during the initial three years of the Independent Monitoring Team's review. However, the Adult Divisions later discovered previously unreported instances of AAOs in restrictive housing, involving 60 incidents and 29 AAOs.²¹ This discovery prompted DAJD to take steps to ensure appropriate documentation and tracking of all AAO housing assignments, and no restrictive housing events were identified during the following reporting period.

However, as discussed in the last monitoring report, the Adult Divisions provided information indicating there had been 33 restrictive housing incidents involving 10 AAOs during the period July 1, 2023 - March 31, 2024. Details as to the AAO's precipitating behavior that led to restrictive housing confinement was limited or missing for 30 of the 33 incidents, making it difficult to determine if each restrictive housing assignment was necessary to prevent imminent and significant physical harm to the youth or others involved, or that less restrictive alternatives were unsuccessful. After providing

¹⁹ For example, in April 2025, the Average Daily Population (ADP) in KCCF secure detention was 814. All 13 AAOs at the time were in custody at KCCF, amounting to approximately 1.6% of the facility's total ADP.

²⁰ When AAOs were interviewed for this report, one noted that he was not given a yellow wristband, though he understood he was supposed to have one and did not know why the wristband was not issued. This information was communicated to a member of the DAJD Senior Management Team for follow-up and a wristband was provided to the AAO.

²¹ These instances of AAO restrictive housing are detailed in the July 1, 2021 - March 31, 2022, monitoring report.

this data to monitoring team, DAJD indicated that it would redouble efforts to stress the requirements under the restrictive housing Ordinance and to provide proper oversight and more timely corrective action regarding restrictive housing in the Adult Divisions.

For the current reporting period, DAJD researched the housing assignments over time for each AAO in the Adult Divisions during the 12 months under review, along with records for each individual to determine if any disciplinary sanctions were noted, possibly indicating restrictive housing. There were 20 individuals classified as an AAO during this time, with some in custody for a relatively short period of time and others for longer periods, up to several years. No indication of restrictive housing confinement was found for 14 of the 20 AAOs. Of the remaining six, one individual was confined to the KCCF medical floor following knee surgery and due to another medical issue he experiences, which theoretically at times might entail solitary cell confinement that meets the restrictive housing definition.²²

Five out of the 20 AAOs confined to KCCF during the current reporting period experienced a single or multiple instances of restrictive housing, ranging in time from 8 hours to 8 days, as seen below in Table 2.1. The behavior leading to restrictive housing generally was not indicated and assessment checks were not completed in eight of 11 incidents. Assessments were completed in two incidents and only partially completed regarding one event.

²² This will depend on how many other individuals in custody are housed on the medical floor for their own medical issues and the number will vary over time. During an interview, the AAO on the medical floor indicated he was in a pod with 13 other inmates at that time.

2.1 DAJD Adult Divisions
April 1, 2024 - March 31, 2025
Adult Age-Out (AAO) Restrictive Housing Incidents

AAO	Date	Duration ²³	Restrictive Housing Assessments Completed	Notes
1	2/10/25	8+ days	No	
2	2/5/25	10 hours	No	Notes refer to a 2 hour Cool Down in the visitation booth and then the AAO was moved to a restrictive housing location for 10 hours. . ²⁴
	3/28/25	8 hours	No	
3	9/27/2425	7 days	No	
	2/20/25	13 hours	Partially	
4	8/4/2024	1 day	Yes	
5	11/19/24	24 hours	Yes	

The Adult Divisions exempts from its definition of restrictive housing, "Temporarily placing an AAO whose behavior presents a security issue for a Cool Down Period not to exceed two (2) hours."²⁵ Several of the AAOs most recently interviewed mentioned that they had been isolated from other inmates for a Cool Down, which led to them being placed in a visitor's booth (when visitors were not present), rather than being confined to their cell or bunk area. KCCF visitor booths have a glass wall dividing each booth into two sections, one side for the inmate and the other for the visitor (personal or professional). Each side of the booth is approximately 3x3 feet or 9 square feet, is entered by a

²³ Some of the AAO restrictive housing incidents were recorded in hours and others by the number of days involved.

²⁴ Use of a visitation booth for a Cool Down Period is discussed below.²⁵ Department of Adult and Juvenile Detention, Adult Divisions, General Policy Manual, 6.03.011, defines the following terms: "Cool Down Period" is, "A period of time, not exceeding two hours, when a AAO whose behavior presents a Security Issue is racked back, alone, with minimal or no contact with others, other than corrections or medical staff." "Security Issue," is defined as, "Any behavior that may impair the safe and secure operation of the facility," [that] "includes, but is not limited to, behavior that constitutes a Risk of Physical Harm." "Risk of Physical Harm," occurs when "the AAO's behavior creates a risk of imminent and significant physical harm to the AAO or others," such as threats to staff or others, physically aggressive behavior, a major destruction of property, or facility disturbance. "Rack back" is the term used in Adult Divisions facilities for confining an AAO or other inmate to their cell or bunk area.

²⁵ Department of Adult and Juvenile Detention, Adult Divisions, General Policy Manual, 6.03.011, defines the following terms: "Cool Down Period" is, "A period of time, not exceeding two hours, when a AAO whose behavior presents a Security Issue is racked back, alone, with minimal or no contact with others, other than corrections or medical staff." "Security Issue," is defined as, "Any behavior that may impair the safe and secure operation of the facility," [that] "includes, but is not limited to, behavior that constitutes a Risk of Physical Harm." "Risk of Physical Harm," occurs when "the AAO's behavior creates a risk of imminent and significant physical harm to the AAO or others," such as threats to staff or others, physically aggressive behavior, a major destruction of property, or facility disturbance. "Rack back" is the term used in Adult Divisions facilities for confining an AAO or other inmate to their cell or bunk area.

swing or sliding door, has a small desk and seat, and is equipped with a telephone receiver for the visitor and detainee to communicate with each other. There were five or six visitor booths on each floor visited by the monitoring team, with the booths separated by glass walls, allowing for visibility between booths by both inmates and visitors, and by Correctional Officers in a separate, raised room across from the visitor booths.

Because AAOs detained at KCCF typically are housed with other adult inmates and assigned to communal cells with bunks for sleeping, rather than individual rooms, as found in the juvenile facility, they are not as easily separated from other detainees when they need to regulate their behavior by temporarily being isolated from others. Given KCCF's layout, the high number of individuals in custody at the jail facility, and limited alternatives when an AAO's behavior results in the need for a Cool Down Period, temporary assignment to a visitor's booth might be the only option that allows for isolation, while also permitting observation by Correctional Officers situated in the raised room across from the visitor booths.²⁶ However, it is far from ideal, given the size of the area in which an AAO is confined, and it is recommended that DAJD explore other options.

V. ACCESS TO EDUCATION, PROGRAMMING, AND NECESSITIES (PROVISO F)

A. Access to Education, Programming, and Necessities in the Juvenile Division

1. Access to Education

School instruction for detained youth is provided through the Seattle Public Schools (SPS) Interagency Academy and occurs in a classroom set up in each living hall or through the use of written instruction packets. Typically, youth are in class approximately 5 hours/day on Monday, Tuesday, Thursday, and Friday, and 3 hours/day on Wednesday. Teachers rotate among the living halls, teaching a specific subject for a one-hour period in each hall. If an individual youth does not attend class for any reason, including a youth in restrictive housing who has not self-regulated and cannot safely reintegrate with other youth, the teacher generally prepares an individual instruction packet so that the youth can review material covered in class and keep up with homework assignments.

Due to the need to open more living halls to accommodate the high average daily population (ADP) at the CCFJC, there can be more halls than subjects taught or teachers available. Thus, one or more halls might not receive the full five (or three on Wednesday) hours of instruction on a given day. The Juvenile Division has been actively negotiating with SPS to rectify this problem so all youth at the CCFJC have an opportunity to continue their education following a regular schedule. The school

program site lead and several teachers were interviewed for this report (and in prior years). The site lead indicated that an attendance record is maintained and that the vast majority of youth housed at the CCFJC attend classes regularly.

Prior reports have addressed education-related issues generally at the CCFJC and in regard to restrictive housing more specifically. For example, the last monitoring team report used a scenario taken from incidents reviewed that illustrated the impact of split programming and modified programming on two youth in restrictive housing for physically fighting with each other.²⁷ Because the youth were segregated from each other until they could self-regulate and problem-solve together, split programming allowed each to attend half of the classes meeting each day, while the other youth was confined to their room. In this instance, all youth on the living hall also were confined to their rooms in the afternoon for two hours (referred to as "modified programming"). Thus, the youth who was confined to their room earlier and otherwise would have attended school in the afternoon missed that in-class instructional opportunity. None of the youth on a hall that does not meet in class due to a shortage of teachers will receive instructional packets, including youth on restrictive housing.

The teachers pointed to the increasing number of youth at the CCFJC, which also increases class size, indicating that larger classes can add to tension between the youth and lead to conflict, which in turn can result in restrictive housing. Perhaps illustrating the teachers' observation, the monitoring team noted that during the first week of February 2025 alone, there were 13 incidents that resulted in youth being removed from the classroom, likely due to teacher requests, with youth confined to their room for a time ranging from 15 - 60 minutes. There were a variety of reasons for removal listed in the restrictive housing documentation, including behavior such as youth attempting to start a physical altercation, engaging in excessive horseplay, flipping a desk and threatening to assault a staff after walking out of the classroom, and having a verbal altercation with the teacher.

The educators observed that youth generally appeared motivated by that part of the Juvenile Division's behavior management approach that rewards desirable behavior over time, noting that the incentives system and honors program play an important part in the Juvenile Division's culture. They also indicated that one-on-one programming (when a JDO and youth on restrictive housing program together away from other youth in the living hall) can be beneficial educationally. The example provided involved an 11-year old who was on restrictive housing and not ready to reintegrate with other youth, who worked with a JDO outside his room on class assignments. The teachers remarked that one-on-one programming allowed the younger youth to stay more focused on the material being covered, avoiding the distraction of other youth as old as 17 in the classroom.

²⁷ Reporting Period: July 1, 2023 - March 31, 2024, King County Department of Adult and Juvenile Detention Independent Monitoring Team Report Implementation of Ordinance 18637 Restrictive Housing, p. 38.

Issues of concern that were raised during interviews included the educators' sense that the tablets available to detained youth could be better managed by DAJD staff.²⁸ For example, they expressed their belief that if a youth elects not to attend class, youth generally still have access to their computer tablet and spend time using it instead of going to school or doing homework assignments.²⁹ The educators also were interested in exploring ways to use the tablets to help facilitate learning. An example discussed was to provide access on the tablets to AI tutors, which might be useful for youth struggling to understand a particular topic or to provide alternative pathways to learn subject areas outside the traditional courses offered.

One of the teachers working in secure detention is a member of the Multi-Disciplinary Team (MDT) that meets daily to discuss how best to work with specific youth on restrictive housing to help them self-regulate, problem solve, and reintegrate with other youth, and ways to support youth needing particular attention, though not on restrictive housing. Given the teachers' continuing interactions with youth in the secure facility, they are in a unique position to make observations about them, and having a teacher involved with MDT is likely beneficial to both youth and staff.

2. Access to Programming

Strong programming in a juvenile detention facility is an important consideration in any strategy to reduce the need for restrictive housing, as it can "reduce idleness that may lead to conflict between youths by increasing access to groups, recreation, and other activities."³⁰ There were many post-pandemic programming challenges as the ADP for the Juvenile Division increased significantly and many who had formerly volunteered their programming time were no longer available. DAJD recognized the need to adopt a more strategic approach to programming and the 2023 - 2024 King County Metropolitan Council (Council) Biennium Budget included funds to revitalize programming,

²⁸ Beginning in March 2024, youth at the CCFJC were provided individual tablets with telephone capability, specialized content such as select reading material, and games. Benefits and challenges associated with the tablets was addressed in the monitoring report for the period July 1, 2023 - March 31, 2024.

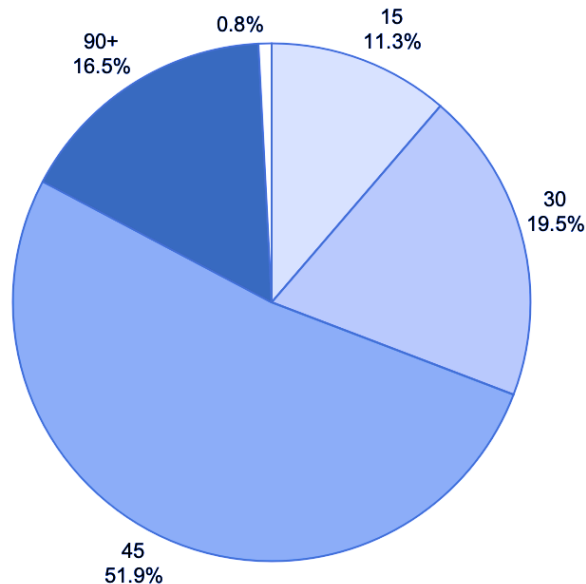
²⁹ The educators also believed that DAJD cannot turn off tablets remotely, which they thought would help with tablet management concerns. Juvenile Division staff indicated to the monitoring team that they actually can control tablet access remotely, and it might be helpful to relay that information to the teachers.

³⁰ National Commission on Correctional Health Care (NCCHC). (2021). *Restrictive Housing in Juvenile Settings* (Position statement, endorsed by the American Academy of Pediatrics and the Society for Adolescent Health and Medicine). <https://www.ncchc.org/position-statements/restrictive-housing-in-juvenile-settings-2021/>
NCCHC recommended other restrictive housing alternatives, indicating juvenile facilities should: have policies requiring safe, trauma-informed, and developmentally sensitive behavioral management; train staff and provide resources to utilize therapeutic strategies, such as de-escalation techniques, one-on-one time with staff, carefully described consequences, the option for youth to voluntarily be in their cell to avoid conflict, access to mental health and conflict resolution professionals, and evidence based interventions, such as cognitive-behavioral or dialectical-behavioral therapy; and the repurposing of unused cells for soothing, de-escalation rooms.

including support for a one-year contract for a Community Services Coordinator position. Given the vital role that robust programming plays in managing youth in detention, the Council is commended for including funds in the 2025 Annual Budget for DAJD to convert the Community Services Coordinator role into a permanent position and for community service provider contracts.³¹

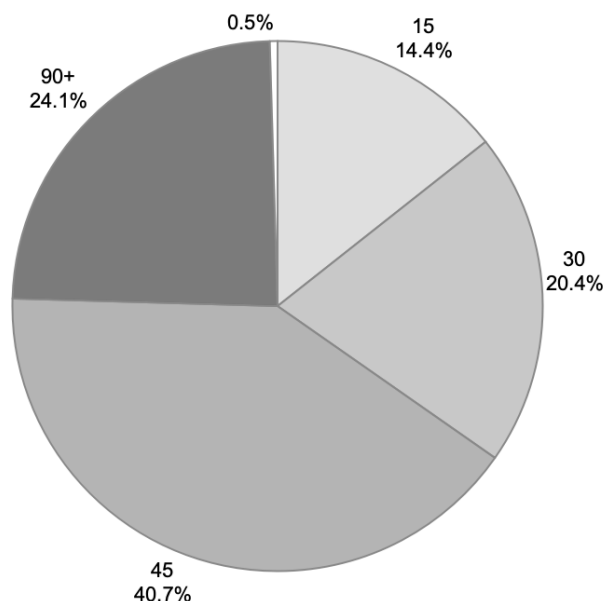
The Community Program Coordinator initially worked to identify a variety of programs appealing to different kinds of interests, facilitated the contracting process and background checks for service providers, and addressed scheduling, space, and other operational needs for programming. While these are continuing tasks, more recently, programming related efforts have included developing ways to involve youth at the front-end stage, having them review program applications and assist in making selections. The Community Program Coordinator also created feedback forms that are completed by each program provider and the youth who participated in an activity, to assess how well suited a particular program is in meeting the interests and needs of Juvenile Division youth and ways that providers' experiences might be improved.

3.1 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Time in Restrictive Housing Before Initial Release for Programming
(n = 620)



³¹ Council also provided funds supporting a permanent position for the Gang Intervention Specialist.

3.2 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Time in Restrictive Housing Before Initial Release for Programming
(n = 216)



Efforts are made to bring youth assigned to restrictive housing out of their rooms for school and other activities throughout the day. As seen in Figure 3.1, youth are programming outside of their rooms in 45 minutes or less time in 83% of all restrictive housing incidents, including the 31% of incidents when youth are engaged in programming within 30 minutes of their initial assignment to restrictive housing. Figure 3.2 indicates that for youth in restrictive housing for 240+ minutes, they initially re-engage with programming in 15 - 30 minutes in 35% of the incidents and within 45 minutes in 76% of the events. As discussed above in the section on Access to Education, if two or more youth are in restrictive housing for fighting or other disruptive behavior, split programming is often used to maximize the time both youth have outside their rooms for school and programming activities. When youth are in their room for longer periods before first being allowed out to participate in activities, it most often is a function of needing to keep the youth separated, with one youth waiting for their turn to be released for a programming opportunity, at which point the other youth returns to their room.

As of Q1 2025, there were approximately 40 programs available for youth detained at the CCFJC, in addition to SPS educational services and medical, mental health, and psychiatric services. Some programs are administered on a contractual basis or through an MOU with individual community

organizations, and others are offered by community volunteers and DAJD staff. Activities cover such diverse topics as physical fitness, trauma informed poetry writing, theatre skills, financial wellness, healthy relationships, songwriting and recording, alternatives to violence, college and career competency, sexual education, graphic design, chess, Alcoholics Anonymous, religious services and study, and visits with therapy dogs.

The monitoring team had an opportunity to observe a small sample of programs and was impressed by the providers' enthusiasm for working with the youth, the different ways providers sought to engage with youth, and how most youth appeared to enthusiastically participate in the activity. Program providers used a trauma-informed approach at times in communicating with the youth. For example, when reviewing the lyrics for a song one youth was recording in the CCFJC music studio, the provider and DAJD staff supported and guided him to revise his words from negative language and influences, and instead express his experience in a more positive and constructive way.

3. Modified Programming

The Juvenile Division operates each day with a general programming schedule that identifies mealtimes, programming times, and rest periods. "Modified programming" refers to time that juveniles are confined to their rooms when they otherwise would be engaged in regular programming, including attending school classes, participating in programming activities, or interacting with other youth in the living hall common area or courtyard. Thus, the program schedule must be modified to ensure the facility can operate safely despite short staffing. Unlike restrictive housing, which is a response to unacceptable behavior by one or more youths, modified programming is not related to youth behavior, though results in juveniles spending unscheduled time in their rooms. Modified programming can impact one or more living halls or the entire juvenile facility and results from events such as staff shortages and staff breaks.³²

As observed in the past, most modified programming in 2024 was attributable to staff breaks. JDOs and other staff receive two 15-minute breaks, and one 30-minute break during their eight-hour shift. If JDO breaks cannot be staggered due to staff shortages or other reasons, all youth return to their rooms while the JDOs assigned to a living hall takes their break. JDOs designated as "rovers" or other staff who take their breaks at a different time, handle the mandatory 15-minute room checks and related documentation. At the end of the 15- or 30-minute break, JDOs return to the living hall and youth are able to return to regular programming outside of their rooms. Thus, the amount of time an individual youth is in their room for modified programming on an average day is usually very limited, whether it is for one staff break or all three breaks throughout the shift, though when

³² During the COVID pandemic, the need to quarantine was another factor that resulted in modified programming at different points.

considered across all living halls for all detainees, the number of incidents and time can quickly add up. Also, modified programming for other reasons can result in youth being confined to their rooms for periods much longer than typical staff breaks.

**3.4 DAJD Juvenile Division
April 1, 2024 - March 31, 2025
Modified Programming³³**

Month	# of Days with Modified Programming by Month	Average # of Hours Per Month
April	14	1.82
May	18	2.71
June	11	2
July	20	2.05
August	19	1.32
September	13	2.06
October	22	1.69
November	10	1.13
December	1	0.75
January	0	0
February	0	0
March	0	0
Total # of Days	128	
Average # of Days/Month	10.66	
Total # of Hours		15.53
Average # of Hours/Month		1.29

Modified programming began to taper off in late 2024 and, as can be seen in table 3.2 above, youth programming was not impacted aside from the designated periods when youth return to their rooms for staff breaks. Because modified programming can be especially impactful for youth assigned to restrictive housing, adding on more time that they are confined to their rooms, it will be important to track that the trend away from modified programming seen in early 2025 continues throughout the year.

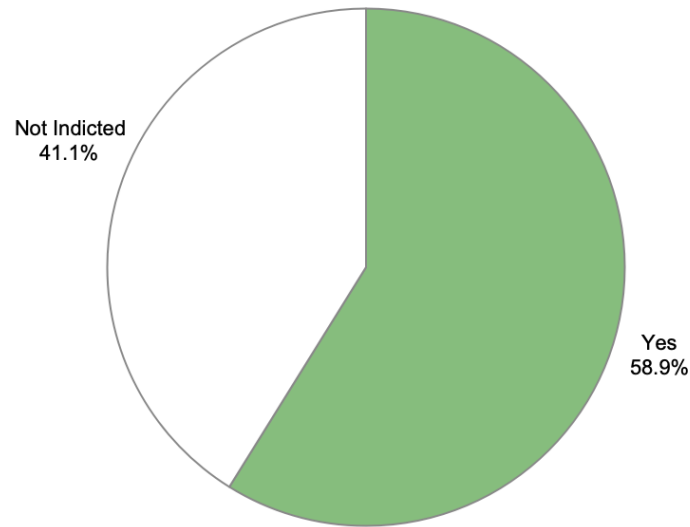
³³ Table 3.2 reflects the number of days each month when youth programming time was reduced due to short staffing, in addition to the designated periods when youth return to their rooms for staff breaks.

4. Access to Necessities, Such as Reading Material

Youth indicate that they generally have access to reading material, even if in restrictive housing. They borrow books from the CCFJC library, the SPS Language Arts Teacher, and other youth. While the July 1, 2023 - March 31, 2024, report noted the general disarray in the CCFJC library for several months when a librarian was not available to provide oversight, that problem was rectified in Q1 2024, and the space now appears organized, well stocked, and welcoming. In addition, youth have extensive reading material available to them on their computer tablets, which are generally available to them even if confined to their room for restrictive housing.

Access to reading materials is one of a number of factors that Corrections Supervisors are tasked with checking when they review the decision of a JDO to place a youth in restrictive housing and during follow-up assessments. They complete the Restrictive Housing Assessment Checklist electronically, through JMS, throughout the workday for all youth on restrictive housing. For each supervisory check on each youth in restrictive housing, the Corrections Supervisor provides a brief description of the youth's behavior at that point in time and generally notes whether the youth appears regulated, is ready to problem solve, has any questions, and the like. JMS has a drop down box to check "yes" or "no" as to the youth having access to materials, and it is to be completed whenever the Corrections Supervisor documents a required check of youth in restrictive housing. However, because supervisory review of on-going restrictive housing occurs frequently throughout the day, some Corrections Supervisors might not repeatedly document access, having already determined during an earlier check that the juvenile has reading and other necessary materials.

**3.5 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing
Access to Reading Material
(n = 620 Incidents)**



**3.6 DAJD Juvenile Division
April 1, 2024 - March 19, 2025
Youth in Restrictive Housing for 240+ Minutes
Access to Reading Material
(n = 216)**

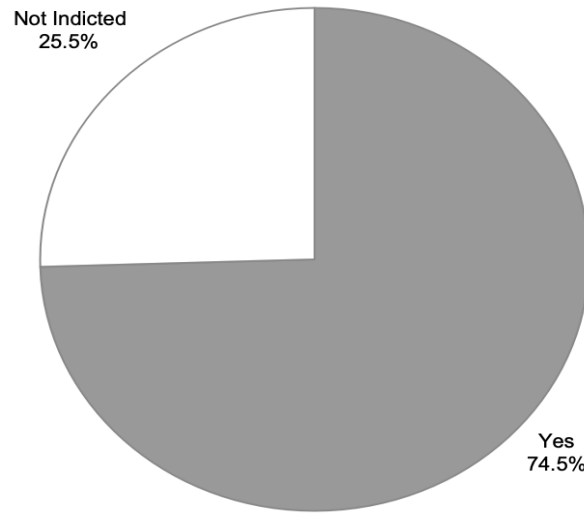


Figure 3.5 above represents the percentage of all incidents in which Corrections Supervisors documented access to reading materials for youth in restrictive housing during the current monitoring review period, while Figure 3.6 illustrates the percentage of incidents of 240+ minutes duration where access to reading materials was recorded. Supervisors documented whether youth had access to reading materials in approximately 59% of all restrictive housing incidents and 75% of those lasting 240+ minutes. While all youth in restrictive housing should have access to reading material, it is all the more important when juveniles are confined for longer periods. The 59% documentation for all incidents represents a 14% increase in the documentation of access to reading material as compared to the last evaluation period, a trend in the direction of more consistent record-keeping. The lack of documentation is most likely a function of competing work responsibilities encountered by Corrections Supervisors, as documenting a youth's access to reading materials is sometimes de-prioritized when Supervisors face more urgent demands. It is reassuring that youth, including those who have experienced restrictive housing, consistently indicate they have access to books and reading material on their tablets.

Law and DAJD policy require that youth in restrictive housing have access to other basics besides reading material, including clothing, a mattress and bedding, medication, a toilet and sink at least hourly, and any necessary mental health services. While not specifically tracked for juveniles in restrictive housing, all youth in detention at CCFJC (unless there is a concern for self-harm) have a mattress, bedding, toilet, and sink in their rooms, where restrictive housing takes place. Access to medication and mental health services is tracked through the Restrictive Housing Checklist form in JMS, where information related to mental health and medical care providers' assessments of youth in restrictive housing are to be maintained, as discussed in Section IV.A.

B. Access to Education, Programming and Necessities in the Adult Divisions

for Adult Age-Outs

Adult Age Outs (AAOs) constitute a relatively small group in the overall population of detainees in King County adult detention facilities,³⁴ and DAJD does not consider it feasible to provide AAOs with the same level of in-class education and other programming provided to youth detained at the CCFJC. As noted in the July 1, 2023 - March 31, 2024, and earlier reports, SPS provides educational services to AAOs in custody at KCCF. While in-class public school instruction is not available, teachers work with AAOs to develop individualized goals, provide written educational packets, and meet with AAOs one-on-one, approximately once a week, to review assignments and give feedback.

Eight of the 13 AAOs in custody at KCCF were interviewed, including three who had been interviewed a year earlier for the monitoring team's last report. AAOs in general report they had completed or were close to completing the work required for a high school degree or, if newer to the facility, working with teachers to determine how many more credits they needed.

DAJD provides detainees in the adult facilities, including AAOs, with access to individual computer tablets. As with the tablets available to youth housed at the CCFJC, the tablets used in the Adult Divisions have telephone capability, select reading material, and games. They provide an outlet for AAOs and a means to have more regular contact with their families, both of which might help reduce conflict and, ultimately, the need for restrictive housing.

While AAOs report they have access to necessities, such as medication, meals and reading material generally, an issue that arose during the monitoring team's most recent interviews concerned the use of Cool Down Periods, lasting up to two hours, that take place in visitor booths, as discussed in Section IV.B. AAOs who had experienced a Cool Down Period and were confined to a visitor's booth indicated they did not have access to reading material, including school related material, while there.³⁵ Even if DAJD does not view a Cool Down Period as constituting restrictive housing, the department should consider permitting AAOs to have reading and educational materials when assigned to a Cool Down Period in a visitor's booth. This might serve the goal of helping the AAO self-regulate more quickly, particularly if they are inclined to feel more agitated in such a confined space for a two-hour period of time.

VI. PROGRESS IN IMPLEMENTING RECOMMENDATIONS AND NEW RECOMMENDATIONS FOR REDUCING USE AND DURATION OF SOLITARY CONFINEMENT & FOR IMPROVING DATA COLLECTION AND REPORTING INCIDENTS OF SOLITARY CONFINEMENT (PROVISO 3.H & I)

³⁴ In April 2025, the ADP in KCCF secure detention was 814. The 13 AAOs in custody at KCCF at the time constituted approximately 1.6% of the facility's ADP.

³⁵ None of the AAOs mentioned access to medication or meals as a concern, though one said he experiences claustrophobia, which has been triggered while confined to a visitor's booth during a Cool Down Period.

Submitted along with this report is a list of recommendations made by the monitoring team beginning with the July - December 2019 report, along with notes regarding the status of each recommendation.³⁶ During that time, the monitoring team made a total of 29 recommendations, with 13 completed by DAJD, 14 in progress, and two recommendations withdrawn, as no longer relevant. The monitoring team is available to work closely with DAJD during the next restrictive housing review period to gauge the effectiveness of changes being made to help ensure data reliability, and will share any recommended adjustments in real time. One new recommendation is made for this reporting period, focused on AAOs in custody at KCCF, as discussed below.

Recommendations 1.8 and 2.5 are directed towards King County Council and address what are perhaps untended consequences as to how prohibited restrictive housing is defined under Ordinance 18637, which has been interpreted to cover situations such as youth in their rooms voluntarily, a single female in custody at the juvenile facility, and one-on-one programming between a JDO and youth used as a therapeutic step towards reintegration or to facilitate restorative problem solving. While significant progress was made during the July 2023 - March 2024 monitoring period, Ordinance revisions were not moved forward beyond the Law & Justice Committee. DAJD remains open to discussions and Councilmembers have expressed an interest in revisiting revisions to the Ordinance.

DAJD's Juvenile Division uses a multi-layered approach to behavior management that includes both incentives to encourage desirable behavior and disincentives to discourage behavior that can escalate to a level that results in restrictive housing. Recommendation 1.13 recognizes that DAJD's behavior management system is constantly being refined and improved, with the Department working to identify evidence-based practices to facilitate more youth programming and alternative means to address and divert unacceptable behavior. During the last reporting period, the Juvenile Division recruited members for a Behavior Management Workgroup dedicated to improving current behavior management strategies. Additional members joined during the current reporting period and several proposals to enhance behavior management have been submitted to Juvenile Division leadership for consideration.

In all of the monitoring reports since 2019, the monitoring team has noted inconsistencies in the descriptions of how a youth's behavior created a risk of imminent and significant physical harm requiring restrictive housing. In the last report, training and policy enforcement with Corrections Supervisors was noted as key to increasing documentation consistency with regards to behavioral indicators. During the current monitoring period, DAJD stepped up its training and ongoing support for Correction Supervisors to ensure that the specific behaviors leading to restrictive housing are

³⁶ Attachment A, Independent Monitoring Team Report: April 1, 2024 - March 31, 2025, Status of Restrictive Housing Monitoring Recommendations (Updated June 11, 2025).

documented. Restrictive housing events are now to be reviewed weekly to ensure compliance using reporting capabilities in JMS.

JDOs, Corrections Supervisors, and others stressed the importance of consistent, predictable programming throughout the week, but especially during times that are otherwise unstructured, such as on weekends. Recommendation 4.3 grew out of this concern and DAJD noted during the April 1, 2024 - March 31, 2025, reporting period that, in considering applications for program expansion, priority was given to organizations that could provide programming on weekends. Furthermore, the Juvenile Division has implemented a pilot program using a second Recreation Coordinator on Thursday - Sunday afternoons and evenings. The Division intends to review performance metrics such as use of force and behavior data to determine if the 2nd position has a positive impact operationally.

An unexpected issue that developed with the individual computer tablets provided to youth beginning in March 2024 was the approach to be used when a juvenile refused to return the tablet. Recommendation 4.4 urged DAJD, with input from JDOs and Corrections Supervisors, to develop strategies to address the problem. While implementation of this recommendation is still in progress, and different situations might require different strategic responses, if a student's tablet is a distraction (an issue that came up during recent interviews with teachers and discussed in Section V.A.1), Corrections Supervisors now can turn off individual tablets remotely.

Recommendation 3.4 suggested that the Juvenile Division, with input from staff, explore the option of making living hall assignments based on age and developmental stage of youth detainees. DAJD informed the monitoring team during the current review period that it is planning to implement a new classification model which will have youth housed by age and developmental stage in June 2025, when the current school year ends.

As programming increased in the Juvenile Division over the past year, an issue was raised by JDOs that at least some activities should be mandatory and that individual activities should be evaluated regularly regarding whether they should be compulsory. The Juvenile Division has made programs mandatory if held outside of the living halls and is still developing a final approach to determine which programs held inside the living halls should/should not be compulsory.

A few final recommendations on which progress has been made by DAJD are directed towards improving the restrictive housing documentation function, improving data accuracy, and setting up a quality assurance process. The advantages to robust data analysis is the focus of Recommendation 1.12, which encourages DAJD to more fully explore the data analytic capacities of JMS, now that various datasets have been integrated into the system. DAJD recently reported that some datasets

are now linked through JMS, others are not, so realizing the full potential of JMS is still in progress. However, of particular significance to documenting and tracking restrictive housing incidents, nine new reports were created to verify that all required checks and assessments have been completed by appropriate staff. Corrections Supervisors also have noted that JMS could be made more user friendly. Recommendations 3.1 and 4.1 were made to encourage DAJD to work with Supervisors so they understand the purpose for collecting each type of data required and so management and those who program JMS appreciate what it is about the current process that particularly frustrates users. DAJD indicated that it has developed reports and dashboards specifically for Corrections Supervisors, Chiefs, and others who are responsible for restrictive housing oversight and that training has been provided to help Supervisors better understand use of the reports and dashboards, along with restrictive housing monitoring requirements. Also, short cuts were identified to simplify data entry and to help with accuracy. Ongoing JMS support is available thru a designated staff person.

Recommendation 3.3 was made to encourage DAJD to adopt electronic room check technology, to eliminate the need for hard copy tracking of youth location and activity, which is monitored and recorded every 15 minutes during non-sleep hours. Electronic security checks and movements were fully implemented as of March 17, 2025.

Recommendation 3.2 was aimed at the need for more data quality assurance and initially was made after the Chief of Operations, who had provided a level of quality assurance, retired during the reporting period April 2022 - June 2023. As discussed in Section III above, another staff person who had made significant contributions to quality assurance left DAJD shortly before the beginning of the current reporting period. The sample of data collection problems discussed in Section III underscores the need for quality assurance and DAJD has proposed a process that includes daily review of restrictive housing assessments by shift, weekly review by the Chief, and monthly review by the Juvenile Division data analyst. The monitoring team is optimistic that with these and other changes that have been implemented, DAJD will not encounter the same level of restrictive housing data reliability issues it experienced during this reporting period.

Regarding recommendations directed towards supporting AAOs in the Adult Divisions facilities, Recommendation 2.6 encouraged DAJD to consider ways to improve the system used by those in custody to learn about and participate in educational and programming opportunities. The system in place relies upon the use of hard copy forms called "kites." Over the last year, computer tablets were made available in the adult facilities, as previously discussed with regards to juvenile detention, that include some programming options. In the coming months, DAJD intends to move the hard copy kite process to the tablets, which should make it easier for inmates, including AAOs, to submit an educational or programming request and for both the Department and inmates to update information and communicate more quickly and efficiently.

The only new recommendation made for the current reporting period is directed towards KCCF's use of visitors booths for two hour Cool Down Periods, which AAOs might experience instead of a longer restrictive housing assignment or prior to a move into restrictive housing. As discussed in Section V.B., AAOs do not have access to reading or educational material when confined to a visitors booth during a Cool Down Period. Though a Cool Down Period is not defined as restrictive housing under Adults Divisions policy, it is recommended that AAOs have access to reading material when restricted to such a confined space for up to two hours (and possibly longer under certain circumstances).

VII. CERTIFICATION OF 90% DOCUMENTATION FOR CATEGORIES OF INFORMATION REQUIRED BY PROVISO 3B - F, OR DAJD EXPLANATION WHY NOT MEET 90% GOAL (PROVISO 3.J.1 & 2)

Proviso 3 requires that the monitoring team certify that at least 90% of restrictive housing incidents were appropriately documented for each category of information described in Proviso 3B - 3F. Because the 90% documentation standard was not met, the following is an explanation from the department, which is required to be included in this report under Proviso 3.J.2.

The Department of Adult and Juvenile Detention (DAJD) recognizes that documentation associated with the placement of youth in restrictive housing has not met the 90% compliance standard set forth in Proviso 3.J.1 & 2 during the most recent reporting period. The Department takes this matter seriously and appreciates the opportunity to provide context regarding the operational challenges contributing to this issue. DAJD is confident that assessments are completed while youth are in restrictive housing. Medical providers conduct twice-daily interactions with each youth during medication distribution, while mental health staff regularly engage with youth in every living unit. In addition, a daily multidisciplinary team meeting is held, during which key stakeholders review the status of each youth in restrictive housing and assess overall facility operations.

As discussed in this and previous reports, the processes required to document restrictive housing placements are labor-intensive and time-sensitive, especially given the episodic and often unpredictable nature of these events. During this and previous reporting periods, Detention Supervisors were responsible for the data entry for all assessments, including those provided by mental health and medical providers. This documentation often competed with other critical operational duties such as training, coaching, direct supervision of detention operations, and assisting juvenile detention officers in de-escalation efforts. The Juvenile Division recently reassigned the data entry duties so that health clinic staff enter assessment information for those completed by mental health and medical providers. DAJD has also created several reports in JMS that facilitates

daily, weekly, and monthly review of restrictive housing documentation. These changes will greatly improve adherence to the documentation compliance standard.

During this period, DAJD experienced a significant increase in the overall population, including a rise in the number of youth charged as adults. These youth typically remain in custody for longer durations, which often correlates with a higher incidence of restrictive housing events. Additionally, the division has undergone a period of significant staffing transition, with many new employees across all levels, including detention officers, supervisors, and managers.

DAJD acknowledges that prior monitoring reports have consistently identified opportunities to refine the existing ordinance language to mitigate operational challenges. The department remains committed to working in partnership with the Council to explore and implement adjustments that uphold accountability while supporting practical and sustainable implementation within the facility.

VIII. CONCLUSION

While there were a number of issues impacting the reliability of data documenting the use of restrictive housing during the reporting period April 1, 2024 - March 31, 2025, DAJD has instituted a number of operational changes aimed at improving the documentation process moving forward. New Juvenile Division leadership team members have deep experience in evidence-based and trauma-informed strategies for detained youth behavior management and organizational change management and will be instrumental in ensuring that the systems being put into place will provide data quality assurance.

Robust programming is vital in keeping youth active and engaged and contributes to reduction of tension and conflict. King County Council's inclusion of funds in the 2025 Annual Budget for DAJD to convert the Community Services Coordinator and Gang Intervention Specialist contract positions into permanent positions, along with budgeting for community service provider contracts, gave DAJD the means to ensure predictable and consistent programming for detained youth. Concerted efforts are made to ensure youth assigned to restrictive housing are regularly outside of their rooms for school and other programming activities throughout the day.

DAJD continually reviews alternative approaches to deterring and responding to conflict among youth that can result in restrictive housing. For example, a workgroup is meeting regularly to consider different behavior management strategies and a new classification model for living hall assignments is being implemented that will house youth by age and developmental stage. While these steps might help create conditions to avoid the need for restrictive housing, they also serve other goals for supporting youth in detention.

All DAJD staff have consistently been forthcoming and collaborative with the restrictive housing monitoring team. As concerns with documentation data were raised with DAJD during the current reporting period, staff were open in discussing what could and could not be reasonably accomplished in an attempt to reconcile the data for April 1, 2024 - March 31, 2025. While DAJD has implemented a number of changes aimed at improving restrictive housing related documentation, the Department likely will need to adjust some approaches as data for the next reporting period is reviewed. The monitoring team will be available where it would be useful to consider the team's perspective regarding the data and the on-going changes being made.



King County

Metropolitan King County Council Law and Justice Committee

REVISED STAFF REPORT

Agenda Item:	7	Name:	Leah Krekel-Zoppi
Proposed No.:	2025-0206	Date:	September 3, 2025

COMMITTEE ACTION

Proposed Substitute Motion 2025-0206.2, which would acknowledge receipt of an independent monitoring report on confinement of juveniles in King County, passed out of committee on September 3, 2025, with a “Do Pass” recommendation. The Proposed Motion was amended in committee with Amendment 1 to replace the independent monitoring report with an updated report that contains a section about supervisory documentation that was inadvertently left out of the transmitted report.

SUBJECT

A motion acknowledging receipt of an independent monitoring report on confinement of juveniles in county detention facilities as required by a proviso in the 2025 Budget.

SUMMARY

The Council included a proviso in the 2025 Budget requiring the Executive to engage an independent monitor to review the use of solitary confinement for youth in detention, a continuation of independent monitoring related to the County’s implementation of Ordinance 18637 which placed restrictions on the use of solitary confinement of youth. This proposed motion would acknowledge receipt of the independent monitors’ report.

The transmitted report covers the period between April 1, 2024 – March 31, 2025. The report notes that the challenges faced by the Department of Adult and Juvenile Detention (DAJD) discussed in previous reports persisted during this reporting period, including a larger population of youth and longer stays, staffing shortages, and more youth booked on serious charges. An additional challenge noted in the report was the loss of the Juvenile Division staff person responsible for data quality assurance.

According to the report, the number of incidents of restrictive housing at the juvenile detention facility increased compared to the previous reporting period, as did the number of assaults directed towards staff members. An area of progress noted by the independent monitors was a decrease in the average duration of time youth spent in

restrictive housing. In addition, restrictive housing incidents involving aged out young adults in adult detention facilities decreased compared to the previous reporting period, however, the monitoring team noted concern around a practice of assigning residents to cool down periods in confined visitation booths without access to reading material.

The independent monitoring team reviewed previous recommendations around clarifying unintended consequences in the code definition of prohibited solitary confinement, improving behavior management strategies, correcting inconsistencies in descriptions of how a youth's behavior poses an imminent and significant risk of physical harm, and improving restrictive housing documentation. Additionally, the monitoring team made a new recommendation to provide youth in adult detention with reading materials during cool down periods.

BACKGROUND

Juvenile Detention in King County. The King County Department of Adult and Juvenile Detention's (DAJD) Juvenile Division has operated the County's juvenile detention system since 2002. Under state law¹, King County is required to operate a detention facility for juvenile offenders. The Juvenile Division also operates court-ordered alternatives to secure detention programs.

King County's juvenile secure detention facility is located in the Judge Patricia H. Clark Children and Family Justice Center (CCFJC). The County's average daily population (ADP) of youths in secure detention was 55 in 2024.² The facility provides a health clinic, juvenile programming including a gymnasium, food services, volunteer services, family visitation, behavioral health services provided by Ryther, regular and special education provided by Seattle School District, and a library managed by King County Library System.

The CCFJC houses youths ages 12 to 17 awaiting adjudication in King County Juvenile Court and ordered to secure detention. In addition, beginning in 2018, the Executive directed through Executive Order for all youth under age 18 charged as adults to be housed at the CCFJC.³ The average length of stay for juveniles is 21.2 days for youth charged as juveniles and 276.8 days for youth charged as adults.⁴

Whether a youth who is arrested is admitted into secure detention is based on a screening process performed by Juvenile Court Juvenile Probation Counselors, who determine whether the youth meets the detention intake screening criteria. The criteria are intended to keep youth out of detention if Juvenile Court determines they can safely return home or be placed in a community-based residential care facility. Therefore, most juveniles in detention are being held for offenses categorized as serious or violent offenses.

¹ RCW 13.04.135

² [2024-12-kc-dar-scorecard.pdf](#)

³ King County Executive Order "Youth Charged as adults to be housed at the Youth Services Center," November 2, 2017

⁴ 2024 averages according to [2024-12-kc-dar-scorecard.pdf](#)

King County adopted the Juvenile Justice Operational Master Plan in 2000, adopting a policy to emphasize prevention, intervention, and alternatives to the use of secure detention for juvenile offenders. As a result, even as King County's overall population has grown, the number of youths arrested, charges referred, charges filed, and youths held in secure detention has declined significantly, including a 61 percent reduction since 2010 in the number of youths in detention in King County.⁵

As part of its juvenile detention reform efforts, King County participates in the Juvenile Detention Alternatives Initiative (JDAI), which is a national juvenile justice improvement initiative geared towards changing how detention is used for youth. The County became a formal JDAI site in 2004 and uses JDAI standards for its programs and detention.

Use of Solitary Confinement for Youth. Solitary confinement is a form of imprisonment in which the person is isolated from human contact, often with the exception of members of staff. Solitary confinement can also be called room confinement, segregated housing, protective custody, restrictive housing, restricted housing, time out, restricted engagement, close confinement, special management unit, administrative detention, non-punitive isolation, temporary isolation, or other terms.

JDAI detention facility standards prohibit the use of room confinement for reasons other than as a temporary response to behavior that threatens immediate harm to a youth or others. The standards reflect the advice of dozens of practitioners and nationally recognized experts that room confinement should not be used for discipline, punishment, administrative convenience, or other reasons.⁶ Further, the Council of Juvenile Correctional Administrators reports that isolating or confining a youth in their room should be used only to protect the youth from harming themselves or others and if used, should be for a short period and supervised.⁷

Restricting the Use of Solitary Confinement in King County. In December 2017, the King County Council adopted Ordinance 18673 which banned solitary confinement for youth except in specific limited circumstances.⁸ This legislation had three elements.

The first element created King County Code Chapter 2.65, banning the use of solitary confinement for youth detained by King County "except as necessary to prevent significant physical harm to the juvenile detained or to others when less restrictive alternatives would be ineffective," regardless of the facility in which the youth is held. The ordinance defines a "juvenile" as a youth held in the juvenile detention facility or a young adult over age 18 held in the adult detention facility for a matter committed when they were under age 18. The ordinance defines "solitary confinement" as the placement of an incarcerated person in a locked room or cell alone with minimal or no contact with persons other than guards, correctional facility staff, and attorneys. The ordinance further notes that using different terminology for this practice does not exempt a practice from being considered solitary confinement.

⁵ Updated data from the September 2023 Care and Closure Progress Report, pg. 21

⁶ JDAI Juvenile Detention Facility Assessment, pp. 177-180.

<https://assets.aecf.org/m/resourcedoc/aecf-juviledetentionfacilityassessment-2014.pdf#page=103>

⁷ The Council of Juvenile Correctional Administrators, Toolkit: Reducing the Use of Isolation, Council of Juvenile Correctional Administrators, March 2015

[Home | The Council of Juvenile Justice Administrators \(cjja.net\)](https://www.cjja.net/)

⁸ Ordinance 18637, adopted December 21, 2017.

Secondly, the ordinance requires DAJD's Juvenile Division to ensure that all juveniles detained in any King County detention facility are given reasonable access to the defense bar, juvenile probation counselors, social service providers, and educators in a timely manner.

Finally, the ordinance required that the Executive appoint an independent monitor or monitors who have expertise in juvenile detention operations and corrections, officer safety and security, and trauma-informed behavioral modification practices to monitor and report on the implementation of the ordinance.

State Prohibition of Solitary Confinement for Detained Youth. In 2020, Washington State enacted legislation prohibiting solitary confinement of detained youth as punishment,⁹ which became effective as state law on December 1, 2021. The law defines different confinement scenarios including "solitary confinement," "room confinement," and "isolation," and establishes restrictions on the use of such practices including the circumstances, conditions, and duration they can be used, and requiring check-ins every 15 minutes during the confinement. The law required the state Department of Children, Youth, and Families (DCYF) to develop a model policy which detention facilities within the state, including King County DAJD, are required to adopt or else notify DCYF of how and why the facility's policies and procedures differed from the model policy.

The state law includes restrictions beyond those contained in county code, prompting the Juvenile Division to change policies, effective December 1, 2021, to eliminate use of "time outs" and "cool downs" of up to two hours. DAJD's restrictive housing policy was also revised to require staff to establish a reintegration plan for any youth who remained in restrictive housing for more than four hours within a 24-hour period.

State law requires DAJD to collect and report data related to restrictive housing in order for DCYF to compile and publish statewide data, prompting changes to DAJD's data collection and data sharing.

Juvenile Division Restrictive Housing Policy and Behavioral Management Approach. In response to enactment of Ordinance 18673, DAJD's Juvenile Division established a Restrictive Housing policy, which was then updated in December 2021 to comply with the new state law. In compliance with county code and state law, the policy states that, "restrictive housing for punitive purposes is explicitly prohibited," and that restrictive housing is prohibited unless the youth poses a risk of physical harm and there are no less restrictive alternatives available. Juvenile Division's policy states that all youth held in restrictive housing must have access to:

- Clothing;
- A mattress and bedding;
- A toilet and sink at least hourly;
- Necessary mental health services; and

⁹ Second Substitute House Bill 2277, codified in RCW Chapter 13.22

- Reading material, paper, writing material, envelopes, and treatment material (except in cases of concern for self-harm as determined by medical and mental health staff and detention supervisors).

Each time a youth is placed in restrictive housing, the policy requires the following procedures:

- Documentation of the reason the youth was placed into restrictive housing;
- Safety and security checks every fifteen minutes;
- A supervisory check-in with the youth within two hours, and then every four hours outside of ordinary sleeping periods;
- Evaluation by a medical professional as soon as possible within six hours or before an ordinary sleep period, and at least once per day thereafter;
- Evaluation by and development of a care plan by a mental health professional as soon as possible within four hours; and
- Documentation of the date and time of the youth's release from restrictive housing.

The policy requires that staff provide youth with the goals and objectives the youth must achieve in order to be released. The policy further requires that a youth must be removed from restrictive housing when the youth no longer poses an imminent risk.

A multidisciplinary team of restorative justice coordinators, youth detention staff, supervisors, medical and mental health professionals, and a teacher holds daily meetings during which they review incidents of restrictive housing as well as assess other behavioral support and restorative justice needs for individuals in detention.

The behavioral management approach used at CCFJC includes incentives for meeting behavioral expectations and interventions to respond to inappropriate behavior. The incentive system allows youth to move through a tier system with sustained compliance which results in increasing levels of incentives. Youth who reach the highest tier are rewarded with a later bedtime and other special privileges. Behavioral interventions include verbal de-escalation techniques, restorative work assignments, and, for more problematic behavior, creation of an Individual Development Plan. Juvenile Detention Officers document the activities and location of each youth in the facility every fifteen minutes using a Youth Accountability Checklist.¹⁰

Prior Monitor Reports. The Executive engaged the first independent monitor in accordance with the county ordinance prohibiting solitary confinement of youth, and independent monitoring services began on July 1, 2018.¹¹ The Council accepted the monitor's first report in December 2018.¹² A second report was issued in January 2019.¹³

¹⁰ As described in the [Independent Monitoring Team Report April 2022 – June 30](#), pg. 14

¹¹ Stephanie Vetter, Senior Consultant and JDAI Advisor, Center for Children's Law and Policy, working as a private contractor and juvenile justice expert in the areas of JDAI, the federal Prison Rape Elimination Act, adolescent development, juvenile detention operations and corrections, officer safety and security, and trauma informed behavioral modification practices.

¹² Motion 15256

¹³ 2019-RPT0011

In 2019, a new independent monitoring team of Kathryn Olson¹⁴ and Bob Scales^{15,16} was contracted to provide reports in compliance with a proviso added to the 2019-2020 Biennial Budget Ordinance.¹⁷ The team's first report covered July – December of 2019.¹⁸ Recommendations in that report included consideration of:

- Whether the King County Council should amend Ordinance 18637 to exclude youth in their room voluntarily or engaged in one-on-one programming from the definition of restrictive housing;
- Enhancing youth activity and restrictive housing tracking forms;
- Creating an exit plan for any youth placed in restrictive housing; and
- Integrating restrictive housing policies and procedures with the Behavior Management System.

A second report covered January – June of 2020.¹⁹ Recommendations in that report included:

- Resetting the Juvenile Division's restorative practices program and developing individual case management plans;
- Documenting specific and thorough details of behavior resulting in restrictive housing;
- Providing more specific information about programs available to AAOs (Adult Age Outs);
- Formalizing informal support services being provided to AAOs; and
- Reinstating education opportunities for AAOs that were interrupted by COVID-19 impacts.

The second report also reiterated the recommendation to create an exit plan for any youth placed in restrictive housing.

Independent monitoring was again required by proviso in the 2021-2022 Biennial Budget and the 2023-2024 Biennial Budget.²⁰ The report covering July 2020 -June 2021²¹ noted the progress that had been achieved by the Juvenile Division and held off making new recommendations because of several major projects the division was undertaking, including transitioning to a new electronic record-keeping system and revising policies to comply with the new restrictive housing state law.

¹⁴ Change Integration Consulting, LLC

¹⁵ Police Strategies, LLC

¹⁶ According to the report, the independent monitoring team, "have deep and broad background and expertise in law; the criminal justice system; law enforcement operations, policy, training, labor relations, and community relations; records auditing; advising on data tracking and reporting systems; juvenile justice; reducing racial/ethnic disparities in the criminal justice system; knowledge of PREA and JDAI, trauma informed care, and impacts on policies and practices; restorative justice techniques; and federal, state and local government and criminal justice organizations. They have worked in a wide range of jurisdictions with multiple stakeholders and strive to foster accountability and transparency in the monitoring and reporting process."

¹⁷ Ordinance 18835, Section 52, as amended by Ordinance 18930, Section 36, Proviso P8

¹⁸ Motion 15680

¹⁹ Motion 15788

²⁰ Ordinance 19546, Proviso P1, Section 54

²¹ Motion 16086

The next report covering July 2021 – March 2022²² commended the Juvenile Division on expanding evidence-based interventions and developing a case management approach to behavior management that includes individual treatment plans. However, the report also noted a significant increase in incidents of restricted housing during the reporting period, attributed to the challenges of increased incidents of assaults and staffing shortages.

The report covering April 1, 2022 – June 30, 2023,²³ noted that challenges faced by DAJD during the reporting period included staffing shortages that impacted youth's in-room time and technology changes that led to lapses in documentation. The independent monitoring team provided recommendations to improve documentation and youth safety. The report covering July 1, 2023 – March 31, 2024²⁴ noted that the challenges faced by DAJD discussed in previous reports persisted during this reporting period, including a larger population of youth and longer stays, staffing shortages that impacted youth's in-room time, and technology changes that led to lapses in documentation. According to the report, the number of incidents of restrictive housing at the juvenile detention facility was comparable to the previous reporting period, and there was a decrease in the duration of time youth spent in restrictive housing. In that report, the independent monitoring team provided recommendations to improve documentation and develop consistent policies for participation in programming and tablet usage.

2025 Budget Proviso Requirements. In the process of adopting the 2025 Budget, the King County Council added a proviso²⁵ that requires the Executive to continue independent monitoring to review the use of solitary confinement in DAJD operations. The proviso requires that:

Of this appropriation, \$100,000 shall not be expended or encumbered until the executive transmits a report on confinement of juveniles in county detention facilities and a motion that should acknowledge receipt of the report, and a motion acknowledging receipt of the report is passed by the council. The motion should reference the subject matter, the proviso's ordinance, ordinance section, and proviso number in both the title and body of the motion.

The report required by this proviso shall cover the reporting period of April 1, 2024, through March 31, 2025, and should build on all prior reports submitted on practices related to the confinement of juveniles as required by Ordinance 18637, Section 6, Ordinance 18930, Section 36, Ordinance 19210, Section 50, and Ordinance 19546, Section 54. The report required by this proviso shall be prepared by an appointed, independent monitor or monitors retained in accordance with Expenditure Restriction ER1 of this section. The monitor or monitors shall include in the report an analysis of compliance with K.C.C. chapter 2.65 and chapter 13.22 RCW, by the department of adult and juvenile detention juvenile division, and the report shall also include, but not be limited to:

A. A discussion of challenges, progress, and setbacks, and any significant management, policy or operating environment changes that have occurred since the prior report related to behavioral interventions and confinement of juveniles at county detention facilities;

²² Motion 16208

²³ Motion 16540

²⁴ Motion 16661

²⁵ Ordinance 19861, Section 54, Proviso P3

B. A review of the documentation of each incident of use of solitary confinement during the evaluation period, including identification of the number of incidents and an evaluation of the circumstances for the use of solitary confinement;

C. A review of the average duration of solitary confinement incidents, including identification of the number of incidents exceeding four hours and an evaluation of each incident;

D. A review of the documentation of supervisory review before the use of solitary confinement, including identification of the number of incidents exceeding two hours when supervisory review did not occur and an evaluation of each incident;

E. A review of the documentation of medical and mental health assessments of youth in solitary confinement, including identification of the number of incidents when health clinic staff was not notified within one hour or an assessment by a medical professional was not completed within six hours and an evaluation of each incident;

F. A review of the documentation of how youth subject to solitary confinement had continued access to education, programming, and ordinary necessities, such as medication, meals, and reading material, when in solitary confinement, and identification of the number of incidents when access was not documented and an evaluation of each such incident;

G. The gender, age, and race of youth involved in each solitary confinement incident;

H. An assessment of the progress by the department of adult and juvenile detention juvenile division on implementing the recommendations outlined in previous monitor reports;

I. Any new recommendations for reducing the use and duration of solitary confinement for juveniles in detention, and recommendations for improving data collection and reporting of incidents of solitary confinement of juveniles in detention; and

J.1. Except as otherwise provided in subsection J.2. of this proviso, a certification by the monitor or monitors that the department of adult and juvenile detention juvenile division has appropriately documented and maintained data on at least ninety percent of incidents for each category of incident described in subsections B. through subsection F. of this proviso.

2. If the monitor or monitors cannot make the certification in accordance with subsection J.1. of this proviso because the department of adult and juvenile detention juvenile division did not appropriately document and maintain data on at least ninety percent of incidents for any category or categories of incident described in subsections B. through F. of this proviso, the monitor shall include in the report an explanation from the department of adult and juvenile detention as to why data was not appropriately documented and maintained on at least ninety percent of incidents for each category of incident.

In preparing and completing the report required by this proviso, the monitor or monitors shall consult with stakeholders, including representatives of the King County Juvenile Detention Guild (Department of Adult and Juvenile Detention - Juvenile) representing employees in the department of adult and juvenile detention juvenile division.

The executive should electronically file the report and a motion required by this proviso no later than June 30, 2025, 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 and justice committee or its successor.

ANALYSIS

Proposed Motion 2025-0206 would acknowledge receipt of an independent monitoring team report on confinement of juveniles, as required by the 2025 King County Budget. The report, which is Attachment A of the proposed motion, covers the period from April 1, 2024, through March 31, 2025, and was prepared by the monitoring team of Kathryn Olson²⁶ and Bob Scales.^{27,28} Approval of the proposed motion would acknowledge receipt of the report and release \$100,000 in the DAJD budget to be spent or encumbered.

According to the report, the assessment for the reporting period was conducted through reviewing documents and data analysis; interviewing detained youth and age outs, detention officers, supervisors, and professional staff; attending multi-discipline team meetings and other detention activities; and meeting with the King County Juvenile Detention Guild Executive Board.

Proviso Requirement A: Challenges, Progress, Setbacks, and Changes. The independent monitors noted that DAJD faced many of the same challenges as in prior reporting periods, including:

- Staffing shortages,
- Increased average daily population for juvenile detention and adult age outs (AAOs) in adult detention,
- A higher number of juveniles being booked on more serious charges, and
- Longer average lengths of stay for detained youth, particularly for those charged as adults.

The independent monitors noted that those combined challenges impact how frequently restrictive housing is used, how well staff is able to de-escalate conflict among youth, the number of living halls that can be safely staffed, and how much access youth have to education and programming. These factors in turn influence morale for the youth and staff. According to the independent monitors, these factors also impact time available for DAJD staff to document and track restrictive housing incidents.

New Challenges. A new challenge noted for this reporting period is that the Juvenile Division data analyst responsible for review and quality assurance of restrictive housing data was no longer with the agency during this reporting period, resulting in less reliable data while new personnel were being hired and trained.

²⁶ Change Integration Consulting, LLC

²⁷ Police Strategies, LLC

²⁸ According to the report, the independent monitoring team, "have deep and broad background and expertise in law; the criminal justice system; law enforcement operations, policy, training, labor relations, and community relations; records auditing; advising on data tracking and reporting systems; juvenile justice; reducing racial/ethnic disparities in the criminal justice system; knowledge of PREA and JDAI, trauma informed care, and impacts on policies and practices; restorative justice techniques; and federal, state and local government and criminal justice organizations. They have worked in a wide range of jurisdictions with multiple stakeholders and strive to foster accountability and transparency in the monitoring and reporting process."

Noted as a significant challenge by independent monitors is the increase in youth threats and assaults towards other youth and staff members. The report states that the percentage of assaults directed at Juvenile Detention Officers (JDOs) increased from 5 percent in the previous reporting to 10 percent during the current reporting period. The report states that JDOs also perceive an increase in disrespectful and verbally abusive treatment of staff. The number of youth assaults on peers also increased during the reporting period.

Areas of Progress. The following areas of progress were noted in the report:

- Youth Accountability Checklist Integration: At the end of the reporting period the Juvenile Division discontinued the long-time practice of using hard copy Youth Accountability Checklists for recording the location and activity of all detained youth every fifteen minutes. Those routine checks are now integrated into the electronic Jail Management System (JMS), resulting in better accessibility and greater reliability between that data and Restrictive Housing Assessment Checklists.
- Mental Health and Medical Assessments Process Improvement: Juvenile Division implemented a process improvement in documentation of mental health and medical assessments, gaining efficiency by having those assessments entered directly into JMS by Health Clinic staff rather than being sent to Corrections Supervisors for JMS entry.
- Programming Alternatives: The report notes progress in providing programming alternatives for detained youth as well as approval of funding in the 2025 Budget to convert two temporary support positions²⁹ into permanent positions.
- Reduction of Time Youth Spend in Room Confinement for Modified Programming: Youth spending additional time confined alone in their rooms due to staff shortages has been a significant area of concern raised by advocates, Councilmembers, and previous monitoring reports within the past several years. The monitors noted that there were zero incidents of modified programming other than to accommodate staff breaks in the first quarter of 2025, down from 22 days of modified programming in October 2024.

Setbacks. A setback noted by the monitors was the increase in the number of restrictive housing incidents over the past three years. The report does note, however, that the average amount of total time spent in restrictive housing has steadily declined during that same time period.

Proviso Requirement B: Incidences and Circumstances of Solitary Confinement. For youth housed at the CCFJC during the reporting period, Table 1 shows the number

²⁹ The temporary positions made permanent were a Gang Intervention Specialist and a Community Program Coordinator.

of incidents where youth were placed in restrictive housing, which totaled 620 incidents during the reporting period. Note that because the transition to electronic documentation of 15-minute youth checks began on March 20, 2025, making it challenging to compare data consistently between the previous and new reporting methods, the independent monitoring team ended data analysis for this report on March 19, 2025, and recommends including data from March 20 – March 31, 2025, in the next report.

Table 1: Number of Restrictive Housing Incidents April 1, 2024 - March 19, 2025

2024 Q2	2024 Q3	2024 Q4	2025 Q1	Total
110	126	161	223	620

The high number of restrictive housing incidents in the first quarter of 2025 reflects the use of restrictive housing to help manage two challenging assaults, each involving a group of six youth and resulting in multiple injuries to staff. Both incidents occurred in February 2025. The total number of restrictive housing incidents in that month was 102, 31 to 76 percent higher than in other months during the reporting period.

The report provides the following table to compare the number of restrictive housing incidents per reporting period. The table illustrates an increase in the average number of restrictive housing incidents per month compared to each of the prior two reporting periods.

Table 2. Restrictive Housing Incidents for Current and Prior Reporting Periods³⁰

Restrictive Housing Monitoring Reporting Period	April 1, 2022 - June 30, 2023 (15 months)	July 1, 2023 - March 31, 2024 (9 months)	April 1, 2024 - March 19, 2025 (11 1/2 months)
Number of Restrictive Housing Incidents	520	415	620
Average Number of Restrictive Housing Incidents per Month	35	46	54

Table 3 attempts to remove population variations as a factor in the number of restrictive housing incidents by showing the ratio between the average number of restrictive housing incidents per quarter and the annual ADP. Of note is that beginning in 2022, coinciding with implementation of the new juvenile confinement state law, DAJD began

³⁰ DAJD Restrictive Housing Monitoring Report April 1, 2024 – March 31, 2025, pg. 14

counting all restrictive housing incidents longer than an hour, rather two hours as previously reported. The columns shaded gray represent the years when incidents under two hours are included in the data.

The data in Table 3 indicates a significant increase in both the average daily population (ADP) and number of restrictive housing incidents in the first quarter of 2025. The data also shows that the ratio of restrictive housing incidents to population increased in the first quarter of 2025 compared to previous years. However, the comparison is incomplete since it includes only one quarter of data for 2025, and the number of restrictive housing incidents can vary significantly from month to month and quarter to quarter.

Table 3: Trend of Restrictive Housing Incidents Compared to ADP

	2020	2021	2022	2023	2024	2025 Q1
Restrictive housing incidents (quarterly average)	51	37	82	138	134	223
Average daily population (ADP)	27.3	22.4	34	43	55	61
Ratio	1.9	1.7	2.4	3.2	2.4	3.7

Table 4 shows the circumstances under which restrictive housing incidents occurred during the reporting period.

Table 4. Circumstances of Restrictive Housing Incidents

Circumstance	Percentage of incidents
Assault	47%
Disruptive	27%
Threat	14%
Imminent Harm	9%
Unknown	3%

As shown in Table 4, nearly half of the incidents of restrictive housing occurred because the youth involved assaulted another youth or a staff member. Not all incidents of threats or assaults result in restrictive housing, as the code and Juvenile Division policies call for use of restrictive housing only if less restrictive measures are not available.

The report states that independent monitors found inconsistency in the level of detail provided about each incident, making it difficult to determine whether the restrictive housing incidents complied with county code restrictions that limit its use to preventing imminent and significant harm. The report also questions why "imminent harm" is used by JDO staff as a separate category of behavior since it should be a consideration in any use of restrictive housing.

In response to questions from Council staff, DAJD stated that while Juvenile Division does not have definitions of the terms "assault," "threat," and "disruption," they believe that DAJD staff have a common understanding of the terms based on the division's Restrictive Housing policy. DAJD also stated that, "the Department will continue to work

closely with the independent monitoring team to clarify terminology and policy, strengthen alignment, and provide additional training sessions for Detention Supervisors and Detention Officers to ensure better consistency and understanding.” DAJD also believes the quality assurance process implemented by the Juvenile Division will improve the reliability of behavior descriptions.

Also in response to a question from Council staff, DAJD described how a “disruption” can constitute a threat of “imminent and significant physical harm” consistent with the code prohibition on the use of solitary confinement for any other reasons. According to DAJD, disruptive behavior that would result in use to restrictive housing is behavior that, based on JDOs’ professional judgment and experience, could quickly escalate to physical harm if not addressed promptly. An example given by DAJD was a youth running around a dayroom, ignoring verbal directives, who then goes up the dayroom stairs and threatens to jump.

Proviso Requirement C: Duration of Solitary Confinement Incidents. In tracking the duration of a restrictive housing incident, the Juvenile Division tracks the total amount of time a youth spends in their cell related to that incident before fully rejoining the general population. This means the data often reflects combined intervals of time rather continuous time a youth spends in their cell. Particularly for restrictive housing incidents that take longer to resolve, youth will cycle in and out of their cell during their time on restrictive housing status. For example, when an incident involves multiple youths within the same living unit, this can result in what is termed “split programming” where the involved youth alternate between programming and restrictive housing in different intervals until they reach a resolution that allows them to safely interact.

The average duration of restrictive housing events during the reporting period was 302 minutes, or five hours, representing a one hour decrease in the average duration from the prior reporting period.

Table 5 shows a comparison of the average duration of time of restrictive housing incidents in the prior reporting periods. The data shows a downward trend in average duration of restrictive housing incidents over the past three years.

Table 5. Average Duration of Incidents for Current and Prior Reporting Periods

Reporting Period	Average Duration of Restrictive Housing Incidents	Annual Decrease
April 1, 2022 – June 30, 2023	444 min.	NA
July 1, 2023 – March 31, 2024	360 min.	19%
April 1, 2024 – March 19, 2025	302 min.	15%

According to the report, approximately 14 percent of the restrictive housing incidents lasted one hour. Approximately 41 percent of the restrictive housing incidents had a total duration of two hours or less. In 65 percent of the restrictive housing incidents, youth were released from restrictive housing status within a total duration of less than four hours.

The report also provided data, shown in Table 6, on the amount of time a youth initially spent in restrictive housing before being released for group programming, even if that

youth later returned to restrictive housing for an unresolved safety issue. As shown in Table 6, in 31 percent of incidents, youth were initially released within 30 minutes or less, and in 83 percent of incidents, youth were initially released within 45 minutes or less.

In response to Council staff questions, DAJD provided information that there were seven restrictive housing incidents during the reporting period, representing one percent of total restrictive housing incidents, where a youth was not released for programming within four hours of initially being placed in restrictive housing. According to DAJD these incidents involved extenuating circumstances such as multiple assaults or incidents occurring within a short time period, a youth refusing to leave for programming, and a youth refusing to be searched for contraband.

Table 6. Time in Restrictive Housing Before Release for Group Programming

Less than 15 minutes	15 minutes	30 minutes	45 minutes	90+ minutes
0.8%	11.3%	19.5%	51.9%	16.5%

Circumstances of Restrictive Housing Incidents Lasting More than Four Hours.

The proviso required the independent monitors to identify and evaluate incidents of restrictive housing exceeding four hours. Although in 99 percent of incidents the involved youth did not spend four hours consecutively in restrictive housing, in 216 incidents youth were in restrictive housing status for a total duration of four or more hours over one or more days. This represents 35 percent of the restrictive housing incidents during the reporting period. In 62 percent of such incidents, the restrictive housing was imposed in response to an assault. In the remaining cases, it was due to threats or disruptions.

The average duration of total time in restrictive housing for the incidents exceeding four hours was 10 hours and 45 minutes, with the longest incident lasting 39 hours over several days. Note that county code states that DAJD's Restrictive Housing policy should limit the duration of solitary confinement to no more than four hours in a twenty-four-hour period,³¹ whereas DAJD is measuring the duration of time a youth spends in restrictive housing related to one event, even if the youths' restrictive housing status occurs intermittently over multiple 24-hour periods.

Proviso Requirement D & E Supervisor and Health Professional Reviews. In an excerpt provided by the independent monitors that was unintentionally left out of the report (see Amendment 1), the monitors discussed the proviso requirement to review the documentation of supervisory review before³² the use of solitary confinement. The monitors stated that data reliability issues contributed to difficulties identifying when supervisory review did not occur for incidents exceeding two hours. The monitoring team stated that while they were not able to perform a data analysis on supervisory review without the expenditure of significant time and resources, they are, "confident that Corrections Supervisors nonetheless are routinely involved in restrictive housing

³¹ K.C.C. 2.65.020

³² While the proviso requirement requires review of documentation of supervisory review "before" use of solitary confinement, King County code says that DAJD's Restrictive Housing policy should include "a requirement that any use of solitary confinement be subject to review by supervisors" without reference to the review being "before" the use of solitary confinement.

decisions exceeding two hours, and there are checks and balances to ensure continual assessment of the need to keep youth in confinement.”

The available data indicates medical assessments were documented as taking place in 34.2 percent of restrictive housing incidents, and mental health assessments were documented as taking place in 38.7 percent of the restrictive housing incidents. This documentation rate is similar to the documentation rate from the previous reporting period.

For restrictive housing incidents exceeding four hours, mental health assessments were documented as having occurred 58.8 percent of incidents and medical assessments in 65.7 percent of incidents. The monitoring team noted the difficulty of analyzing the mental health and medical assessment data for compliance since law and policy require them to be completed within four and six hours respectively, and many restrictive housing incidents last less than four hours or, if the total duration exceeds four hours, the youth “rarely remain in restrictive housing for hours at a time.”³³

Proviso Requirement F: Access to Programing and Necessities. As noted above, Juvenile Division provided data showing that youth involved in restrictive housing were able to return to group programming within 45 minutes 83 percent of the time. If a youth does not attend a school class due to being in restrictive housing, teachers typically provide an instructional packet. However, Juvenile Division’s reporting practices do not include documenting whether a youth in restrictive housing has access to an instructional packet or not.

The report also notes that approximately 40 programs were available for youth detained at the CCFJC as of the first quarter of 2025. The monitoring team noted observing program providers using a trauma-informed approach to communication with youth.

An area of improvement from the previous reporting period, noted by the independent monitors, is that the facility library has been restored to good order and “appears organized, well stocked, and welcoming,”³⁴ as opposed to the disarray reported last year.

The report states that while interviewed youth state that they have access to reading materials, both books and on their tablets, during restrictive housing, Corrections Supervisors documented that youth had access to reading materials in 59 percent of incidents. This represents a 14 percent increase since the last reporting period. The reading material access documentation procedure in JMS, which was implemented in 2022, requires Corrections Supervisors to select a drop-down menu and check “yes” or “no.” The report states that because Corrections Supervisors check on youth multiple times and make notes about their interaction with the youth, they may not be selecting the reading access drop down menu for each check in.

County code and state law also require access to clothing, mattress and bedding, medication, toilet and sink at least hourly, necessary mental health services, and writing material. All youth in detention at CCFJC have a mattress, bedding, toilet, sink, and

³³ *DAJD Restrictive Housing Monitoring Report, April 1, 2024 – March 31, 2025*, pg. 28

³⁴ *DAJD Restrictive Housing Monitoring Report, April 1, 2024 – March 31, 2025*, pg. 44

writing material in their rooms unless there is concern for self-harm. Access to medication and mental health services is captured under the documentation of mental health assessments.

Proviso Requirement G: Demographic of Youth in Solitary Confinement. The report provides demographic information showing that youths aged 15, 16, and 17 were involved in a significant share of restrictive housing incidents during the reporting period as compared to younger individuals.

The report also provides data showing that, of the restrictive housing incidents during the reporting period, 11 percent involved females and 89 percent involved males.³⁵ This is a small overrepresentation of females compared to the population during the reporting period.

The monitoring team also compared the race and ethnicity of youth involved in restrictive housing incidents to the race and ethnicity of the ADP and found that Black youth were overrepresented in restrictive housing incidents and Hispanic youth were underrepresented.

Reporting on Additional In-Room Time. During the COVID-19 pandemic and the staffing shortages in the years coming out of the pandemic, youth advocates and Councilmembers raised concerns about the amount of time youth were confined to their room during time they would otherwise be in programming. In response, the independent monitoring team began reporting on information about time youth spent in what the Juvenile Division refers to as “modified programming.” Modified programming occurs due to reasons unrelated to youths’ behavior, such as staff shortages, teacher shortages, COVID quarantine, and facility issues. Typically, staff breaks would be covered by other staff, and youth programming would not be affected, however, when Juvenile Division does not have enough staff to cover legally required staff breaks,³⁶ youth are returned to their rooms during staff breaks, resulting in additional in-room time and disruption to regularly scheduled programming.

During this reporting period, the amount of time youth spent in modified programming was reduced significantly, from an average of two hours per month during the past reporting period to an average of 1 hour and 17 minutes per month. During the final quarter of the reporting period, youth spent no time in modified programming.

Reporting on Adult Age-Outs (AAOs). The information in the previous sections applied to youth housed at the juvenile detention facility at the CCFJC. Code requirements around solitary confinement conditions also apply to AAOs, or residents in adult detention who are being detained on a matter that occurred while they were under age 18. The report states that for AAOs detained in adult detention during the reporting period, there were only 11 incidents of restrictive housing involving five AAOs compared to 33 incidents involving ten AAOs during the prior reporting period.

³⁵ DAJD categorizes gender based on the youth’s gender identification.

³⁶ Federal labor law requires employers to provide employees with two 15-minute breaks and one 30-minute break during an eight-hour shift.

It is not clear based on the documentation available that the incidents involving AAOs were in response to imminent threats of harm, and the independent monitors note that restrictive housing assessments were not completed in eight of 11 incidents. All incidents exceeded four hours.

The independent monitors noted a practice being used at the King County Correctional Facility (KCCF) where AAOs are placed in visitor booths for a cool down period. The AAO Restrictive Housing policy allows for AAOs whose behavior presents a security issue to be placed in a cool down for up to two hours. Because AAOs housed in communal cells cannot be isolated in their rooms like youth at CCFJC, KCCF has been using visitor booths as an alternative isolated space for cool downs. However, the monitors note that the booths are approximately nine square feet, and “it is far from ideal, given the size of the area in which an AAO is confined, and it is recommended that DAJD explore other options.”³⁷

The report notes that the level of programming and in-class educational opportunities at the CCFJC are not available to AAOs in adult detention, but that Seattle Public School teachers provide educational packets to the youth based on their individualized education goals and meet with them one-on-one approximately once per week. According to the report, despite less educational support, all AAOs interviewed had completed or were in the process of completing the work to achieve their high school diplomas. AAOs also have access to programming via individual tablets.

The independent monitors did note, however, that according to interviews AAOs who were confined to visitor’s booths for cool down periods did not have access to reading materials or school-related materials during those times. Cool down periods are not defined as Restrictive Housing in the AAO Restrictive Housing Policy; however, the independent monitors recommend that DAJD should consider providing AAOs access to reading and educational materials during cool down periods.

Proviso Requirement H: Progress Implementing Recommendations. Beginning on page 54 of the report, the monitoring team provides a list of all recommendations since 2019 and the implementation status. Of the 29 recommendations, DAJD has completed 13, 14 are in progress, and two recommendations were withdrawn by the independent monitors.

Two of the recommendations that remain to be completed are directed at the King County. These recommendations are to address potential unintended consequences in how prohibited restrictive housing is defined in code, particularly in regards to youth in their rooms voluntarily, a single female in custody, and one-on-one programming between a JDO and youth who is not yet ready to safely integrate with peers.

Some of the key recommendations highlighted in the report that are directed at DAJD include:

³⁷ DAJD Restrictive Housing Monitoring Team Report, April 1, 2024 – March 31, 2025, pg. 36

- Improving behavior management strategies: In progress. Recently, DAJD convened a Behavior Management Workgroup that meets weekly and has submitted proposals to Juvenile Division leadership for consideration.
- Correcting inconsistencies in descriptions of how a youth's behavior poses an imminent and significant risk of physical harm: In progress. The monitoring team states that all monitoring reports since 2019 have raised issues around inconsistencies in this area, which is key for evaluating whether DAJD staff is complying with restrictive housing prohibitions. The report states that DAJD continues to provide training and support to supervisors, and restrictive housing events are reviewed weekly to ensure compliance.
- Exploring making living hall assignments based on age and developmental stage: In progress. The Juvenile Division planned to implement a housing classification system that considers age and developmental stage after the conclusion of the 2024-2025 school year.
- Improving restrictive housing documentation and realizing the full potential of JMS: In progress. Juvenile Division has implemented new JMS reports to verify that required checks and assessments have been completed. Additionally, short cuts have been implemented to simplify data entry.
- Implementing electronic room check technology: Completed. This was implemented in March 2025.
- Improving AAO access to education and programming opportunities: In progress. DAJD is exploring using tablets to allow residents to learn about and request in-person program offerings.

Proviso Requirement I: New Recommendations. The report includes one new recommendation, which is that AAOs have access to reading materials during cool down periods, due to being in a confined space for up to two hours and possibly longer.

Proviso Requirement J: Certification of Documentation. A new requirement added in Proviso P3 is that the monitoring team certify that at least 90 percent of restrictive housing incidents were appropriately documented in terms of the number, circumstances, and duration of incidents; completion of supervisory review and medical and mental health assessments; and access to education, programming, and ordinary necessities. The monitoring team stated that the 90 percent documentation standard was not met during the reporting period.

The report documented DAJD's explanation for not meeting the compliance requirements, stating that DAJD takes the matter seriously, and that DAJD is confident that medical and mental health assessments are being completed while youth are in restrictive housing. However, DAJD states that, "the processes required to document restrictive housing placements are labor-intensive and time-sensitive," and that, "This documentation competes with other critical operational duties such as training,

coaching, direct supervision of detention operations, and assisting juvenile detention officers in de-escalation efforts.” During the reporting period, DAJD implemented a process improvement that reduced the data entry burdens on Corrections Supervisors, and introduced daily, weekly, and monthly reviews of restrictive housing documentation. According to Executive staff, the Juvenile Division is hopeful that the changes will improve documentation compliance.

The report also states, “DAJD acknowledges that prior monitoring reports have consistently identified opportunities to refine the existing ordinance language to mitigate operational challenges. The department remains committed to working in partnership with the Council to explore and implement adjustments that uphold accountability while supporting practical and sustainable implementation within the facility.”

Responsiveness to Proviso Requirements. The report appears to be responsive to the proviso requirements.

AMENDMENT

Amendment 1 would replace Attachment A, the King County Department of Adult and Juvenile Independent Monitoring Team Report on Implementation of Ordinance 18637 Restrictive Housing from April 1, 2024 – March 31, 2025, with an updated report. The updated report adds a section on pages 11 and 12 that was provided by the independent monitoring team to address proviso requirement D, related to supervisory review of solitary confinement. This section was inadvertently omitted from the original transmittal. The added section was summarized in the “Proviso Requirement D & E Supervisor and Health Professional Reviews” subsection of this staff report.



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion

Proposed No. 2025-0247.1

Sponsors Mosqueda

- 1 A MOTION confirming the executive's reappointment of
2 Daniel Martin, who resides in council district eight, to the
3 King County community advisory committee on law
4 enforcement oversight, as a representative from King
5 County sheriff contract cities.
- 6 BE IT MOVED by the Council of King County:
- 7 The county executive's reappointment of Daniel Martin, who resides in council
8 district eight, to the King County community advisory committee on law enforcement

9 oversight, as a representative from King County sheriff contract cities, for the remainder
10 of a three-year term to expire on March 31, 2028, is hereby confirmed.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Girmay Zahilay, Chair

ATTEST:

Melani Hay, Clerk of the Council

APPROVED this ____ day of _____, ____.

Shannon Braddock, County Executive

Attachments: None