



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Motion 16661

Proposed No. 2024-0205.1

Sponsors Barón

1 A MOTION acknowledging receipt of the second of two
2 independent monitoring reports on the confinement of
3 juveniles in county detention facilities as required by the
4 2023-2024 Biennial Budget Ordinance, Ordinance 19546,
5 Section 54, Proviso P1.

6 WHEREAS, the 2023-2024 Biennial Budget Ordinance, Ordinance 19546,
7 Section 54, Proviso P1, requires the executive to transmit two reports on confinement of
8 juveniles in county detention facilities, each accompanied by a motion that should
9 acknowledge receipt of the applicable report, and

10 WHEREAS, the first report was transmitted no later than September 15, 2023,
11 and covered April 1, 2022, through June 30, 2023, and

12 WHEREAS, this second report, to be transmitted no later than June 15, 2024,
13 covers July 1, 2023, through March 31, 2024, and

14 WHEREAS, Ordinance 19546, Section 54, Proviso P1, provides that \$200,000
15 shall not be expended or encumbered until the executive transmits both reports and a
16 motion acknowledging receipt of each report is passed, and

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

19 WHEREAS, the council has acknowledged receipt of the second report
20 transmitted by the executive;

Motion 16661

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

22 The motion acknowledging receipt of the second of two reports on the
23 confinement of juveniles in county detention facilities, entitled King County Department
24 of Adult and Juvenile Detention Independent Monitoring Team Report, Attachment A to

Motion 16661

- 25 this motion, is hereby passed in accordance with 2023-2024 Biennial Budget Ordinance,
26 Ordinance 19546, Section 54, Proviso P1.

Motion 16661 was introduced on 7/9/2024 and passed by the Metropolitan King County Council on 9/10/2024, by the following vote:


Yes: 8 - Balducci, Barón, Dembowski, Dunn, Mosqueda, Perry, Upthegrove and Zahilay
Excused: 1 - von Reichbauer

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Signed by:

E76CE01F07B14EF...
Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

8DE1BB375AD3422...
Melani Hay, Clerk of the Council

Attachments: A. King County Department of Adult and Juvenile Detention (DAJD) Independent Monitoring Team Report

	A	B	C
1	Motion 16661	ATTACHMENT A: INDEPENDENT MONITORING TEAM REPORT - JULY 1, 2023 - MARCH 31, 2024	
2	STATUS OF RESTRICTIVE HOUSING MONITORING RECOMMENDATIONS (Updated May 31, 2024)		
3	Report		
4	July - December 2019	Recommendation	Status
5	1.1	Update the Adult Divisions Inmate Information Handbook to align its housing and classification scheme with current policy on restrictive housing and review the Handbook to ensure there are no other outdated references to the use of “restrictive housing” terminology. An alternative approach would be to provide AAOs with an addendum at the time they receive a copy of the Handbook, explaining the differences in the use of the phrase “restrictive housing” in adult facilities as compared to the Juvenile Division.	Completed - DAJD amended its handbook to include the Adult Age-Out Inmate Handbook Information summary, which includes basics such as a summary of behavior standards, restrictive housing, the transfer of incentive awards earned in the Juvenile Division to use for commissary purchases, requests for medical, mental health or dental services, programming and educational opportunities, and other topics.
6	1.2	Consider replacing the term “restrictive housing” with “room confinement,” which is the term used by the Juvenile Detention Alternatives Initiative (JDAI) in referring to the involuntary placement of a youth alone in a cell, room, or other area, that may only be used as a temporary response to behavior that threatens immediate harm to the youth or others.	Recommendation withdrawn - Terminology used in the Ordinance and by DJAD does not always align with that found in related federal and state laws, and there does not appear to be an obvious way to resolve language differences.
7	1.3	DAJD should consider whether the current list of 21 codes in the Youth Accountability Checklist is so detailed that it creates confusion for Juvenile Detention Officers.	Completed - <i>Electronic room checks and other practices with the Jail Management System (JMS) implemented in August 2021 will minimize the number of codes required to be entered by the JDOs. i.e. if youth is ‘scanned’ as in dorm, a few options will appear that can be selected, such as rest period, voluntarily in room, restrictive housing.</i> Update: in progress - This recommendation was marked Completed in 2022, based on an understanding that the electronic room check system would be implemented alongside JMS, minimizing the number of potential codes. Since that did not occur, a recommendation to implement electronic room checks was made in the April 2022 - June 2023 Monitoring Team Report. Once the electronic room check system is in place, this recommendation can again be marked as Completed.
8	1.4	The Juvenile Division Restrictive Housing Assessment Checklist could be enhanced with a visual graphic of the different levels of review and timing for each and by adding space for medical and mental health professionals to provide written comment on their assessments. Also, it would be useful for the JDO, supervisor, and medical and/or mental health professionals to meet at some point to discuss their individual assessments and the need for continued restrictive housing.	Completed - The new “checklist” has been built in JMS to replace the paper form. It does not include a visual graphic but does provide additional guidance for users and places for more thorough notes by all parties. Regarding the second part of the recommendation, a new Multidisciplinary Team meets on a daily basis to discuss intervention options for individual youth demonstrating problematic behavior and reintegration plans for any youth in restrictive housing.
9	1.5	Explanations on the Juvenile and Adult Divisions’ restrictive housing checklists concerning behaviors, statements, or conditions that support restrictive housing should clearly state how they pose an imminent and significant threat of physical harm to the youth, AAO, or others, and any unsuccessful less restrictive alternatives.	Completed - The Adult and Juvenile Divisions each implemented improvements and updates to the youth and Adult Age-Out (AAO) restrictive housing documentation process. The new documentation processes expanded upon the information gathered during a restrictive housing event. These and other improvements are included in the electronic JMS that has been implemented and supported by other changes such as implementation of the Multidisciplinary Team, with on-going reviews to improve documentation and processes.

	A	B	C
10	1.6	In order to meet the goal of reintegrating youth into the general population as early as appropriate after placement in restrictive housing, the Juvenile Division should require that a plan be developed providing explicit steps to be taken to help facilitate a youth's exit from restrictive housing. The point in time after restrictive housing has been initiated and the staff person(s) responsible for developing a plan should be built into any procedural change.	Completed - The Juvenile Division has created a process that requires identification of restrictive housing goals and objectives from the outset, which are reviewed by the MDT and frequently communicated to the involved youth. Reintegration plans are mandatory if a youth is in restrictive housing over four (4) hours, though reintegration is contemplated in setting the initial goals and objectives and options are discussed in MDT meetings.
11	1.7	As DAJD continues to develop data analytic capabilities with the JMS and behavior responses involving restorative practices, it would be useful to consider how Cool Down periods are used and fit into the larger Behavioral Management System in the Juvenile Division.	Recommendation withdrawn - Originally, the plan was to follow-up as JMS was implemented to better understand electronic room check record keeping and reporting under new system, including the use of cool down periods. However, DAJD has discontinued the use of cool downs as being inconsistent under Chapter 13.22 RCW, a new Washington State law on the use of confinement and isolation of detained youth.
12	1.8	Ordinance 18637's prohibitions on restrictive housing apply when a juvenile is voluntarily or involuntarily in their room. Standards under the Juvenile Detention Alternative Initiative define restrictive housing based on the involuntary placement of youth in a cell or room alone in response to behavior that threatens immediate harm to the youth or others. It is recommended that DAJD explore the feasibility of advocating this perspective with the King County Council and stakeholders.	Incomplete - While DAJD is in agreement with this recommendation, a review and possible action by King County Council is required to implement this recommendation. Update - During the July 2023 - March 2024 evaluation period, significant progress was made in considering possible amendments to Ordinance 18637, including with regards to the issue of voluntary/involuntary room assignment. Final changes are still under deliberation.
13	1.9	As the DAJD considers the prior monitor's recommendation to determine how privileges and points earned at CFJC could be transferred to the jail, the Department should identify individuals from the Adult Division to work with those previously named in the Juvenile Division, and set target start and completion dates for the team working on this issue.	Completed - As of early 2021, a process was put into place allowing for the transfer of incentive awards earned in the Juvenile Division to be used for credit in an Adult Divisions commissary. The Adult Age-Out Inmate Handbook Information addendum noted in recommendation 1.1 provides an explanation on transfer amounts.
14	1.1	It is recommended that DAJD appoint individuals from the Adult and Juvenile Divisions to explore how family members might be accommodated in the transition process when juveniles turn 18 and are transferred to an adult facility, and set target start and completion dates for the review.	Completed - As of early 2021, DAJD put into place a framework and format for family engagement as youth are transitioning between the juvenile and adult facilities. The two divisions collaborated on the new process which allows for youth to determine if they would like a parent/guardian to participate, as well as the ability to bifurcate transition sessions to allow the youth to ask questions without their guardian present, if desired. The Psychiatric Services Manager meets with youth transitioning to the adult facility to discuss continuity of medical and behavioral health care. The Juvenile Division coordinates with the Adult Divisions MDT Sergeant who acts as a liaison to AAOs, to schedule meetings ahead of the transfer date.
15	1.11	DAJD should consider whether an explicit integration of restrictive housing policy with the Behavior Management System would more accurately reflect behavior response expectations and practices in the Juvenile Division.	Completed - Reintegration plans and reintegration goals/objectives are started immediately once a youth is placed in restrictive housing and are reviewed during the mandatory assessments and in daily MDT meetings. An updated visual "flow chart" showing how incentives, behavior response forms, and reintegration plans integrate with restrictive housing would still be useful.
16	1.12	To the extent current resources are available and as DAJD continues to develop data analytic capabilities with the JMS, it is advised that the DAJD seek ways to do more data analysis of the use of alternative behavior responses, including restorative practices, under the new Behavior Management System.	In progress - DAJD agrees that dashboard capabilities in JMS will help produce operational reports that will link datasets from behavior response forms, reintegration plans, rooms checks, restrictive housing forms, and information on incentives and levels achieved. Once linked, data analytic capacities will expand, per the recommendation. Update - Though some datasets are now linked through JMS, others are not and the system's data analytic capacities are still being explored with the datasets that are linked.

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17		1.13 DAJD should consider ways it could structure efforts to reduce restrictive housing and continue in its development of the new behavior management program around a central principle or approach that connects policies, practice, and culture.	In progress - DAJD continues to develop policies and practices that revolve around goals that include the reduction in use of restrictive housing and development of alternative intervention options when youth demonstrate problematic behavior. With Zero Youth Detention and the plan to close the juvenile facility, the mission of the Juvenile Division and its role with juveniles in the criminal justice system will need to be clarified. Update - Care and Closure has replaced the Zero Youth Detention initiative and the Juvenile Division is working to identify evidence-based practices to increase programming for behavior management.
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19	January - June 2020	Recommendations re: DAJD Restrictive Housing Polices and Related Materials	Status
20		2.1 In completing all documentation related to a restrictive housing event, continue to encourage specific and thorough details that support a decision that a youth's behavior created a risk of imminent and significant physical harm.	In progress - This recommendation is supported through multiple layers – providing the youth with goals and objectives to reintegrate into group programming requires the JDO to identify a specific risk, as well as articulate to the youth what they need to achieve to demonstrate the risk has been removed. Documentation reviewed during the monitoring process shows continual improvement in providing the necessary details. As processes are folded into JMS, it will be important to determine that the necessary information continues to be provided. Update - During the July 2023 - March 2024 evaluation period, continuing inconsistency was noted regarding the identification of specific behaviors leading to restrictive housing assignments. Training and policy enforcement with Corrections Supervisors is viewed as key.
21		2.2 Continue to develop an approach of using an explicit reintegration plan when a youth is in restrictive housing. To the extent such a plan exists in medical or mental health assessment notes, determine whether other staff members are aware of the plan and the benefits of including it in the restrictive housing documentation.	Completed - This recommendation is similar to 1.6 above. The Juvenile Division has created a process that requires identification of restrictive housing goals and objectives which are reviewed by the MDT and frequently communicated to the involved youth. Reintegration plans are mandatory if a youth is in restrictive housing over four (4) hours, though reintegration is contemplated in setting the initial goals and objectives and options are discussed in MDT meetings.
22		Recommendations re: the Juvenile Division's Behavior Management System	Status
23		2.3 While it appears that the Juvenile Division remains committed to building a culture dedicated to restorative principles, a reset of sorts would be useful at this time, to clarify the place of restoration practices in the larger set of interventions available and appropriate to use with individual youth in the juvenile facility. While the Juvenile Division continues to face a variety of challenges, providing direction to staff and demonstrating commitment about how restorative practice goals fit with other priorities would be beneficial.	Completed - There has been a reset given changes mandated by HB2277, discontinued use of Restoration Hall, the introduction of <i>The Carey Guides</i> , development of the MDT which meets daily, the growing use of individualized case management, reintegration plans, and other tools to address problematic behavior and support the emotional and social growth of youth in detention.
24		2.4 Given the low numbers of youth in the juvenile facility at this point, the Juvenile Division should consider using a more individualized case management model, involving all staff in the process so there is a consistent theme of working with each youth. A case management approach will be facilitated by the Jail Management System and EPIC system, which will support individualized and continuing care.	In progress - An individualized case management approach is being put into practice and will continue to be developed as a second Restorative Justice Coordinator is hired to help facilitate the process. Update: Completed - The low ADP at the CCFJC at the time this recommendation was made is no longer the case, as ADPs have increased significantly. Also, the Juvenile Division has adopted the MDT approach to conducting a daily review of youth detained at CCFJC, particularly those who are assigned to restrictive housing or exhibiting behavioral issues that are becoming more problematic and discuss alternative approaches.

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25		Recommendations re: the Tracking of Restrictive Housing Data	Status
26	2.5	Because the Ordinance, as written, defines restrictive housing to situations when one-on-one programming may be required by court-ordered separation of detainees, is necessary if a single female is in the juvenile facility, and may be a preferred therapeutic intervention in helping a youth do restorative problem solving or a step towards reintegrating a youth to the unit, the independent monitors respectfully propose that the Ordinance be amended to address such unintended consequences. (Similarly, in the July – December 2019 report, the suggestion was made that youth voluntarily spending time alone in their rooms for limited periods should not fall under the restrictive housing definition, in line with JDAI standards.)	Incomplete - Review and possible action by King County Council is required, though the new Washington State law on room confinement, Chapter 13.22 RCW, potentially allows for some situations where one-on-one programming is necessary, such as when there is only one female detainee, and makes impermissible other situations when DAJD previously relied on one-on-one programming to help a youth self-regulate and prepare to reintegrate with their peers. Update - During the July 2023 - March 2024 evaluation period, significant progress was made in considering possible amendments to Ordinance 18637, including with regards to the issue of voluntary/involuntary room assignment. Final changes are still under deliberation.
27		Recommendations re: Adults Divisions' Programming and Access to Education and Services	Status
28	2.6	In the Adult Divisions, the kite form used by AAOs to express interest in education opportunities or request a program or service would be easier for an AAO to use if it provided more specific information about what is available at any given time. While this would require the Programs office to update relevant kite communications, providing more information up front for AAOs would help facilitate and might encourage use of education and program opportunities in KCCF and MRCJ, without implicating the cost prohibitive changes in programming recommended by the prior monitor.	In progress - The Adult Age-Out Inmate Handbook Information addendum provides basic information on requesting educational and programming opportunities, and youth report they are taking advantage of options to continue their education. Programs staff are to talk with youth about services within 72 hours of transfer to the Adults Divisions, though the range of programs available at any given point is not communicated effectively in written materials.
29	2.7	DAJD's Adult Divisions should explore the feasibility of formalizing AAO support services by utilizing the resources available through the MDT initiative on reduction of restrictive housing generally in the adult jail facilities. Given that the AAO average daily population has decreased significantly, and education and programming opportunities are limited or not available at all during this time of COVID-19, there is an opportunity to bring individually focused, trauma-informed services to AAOs, some of whom would have recently benefitted from such an approach in the juvenile facility. As with the previous recommendation, and particularly given the small number of AAOs currently in the jail population, this recommendation could be explored without a commitment of significant resources.	In progress - The AAO ADP has increased over the past year making it harder to move toward realizing this recommendation. However, the MDT Sergeant responds to unique AAO needs and AAOs reported that they could get medical attention and medications, as needed, and that there are psychiatric check-ins, though not the regular counseling provided in the Juvenile Division. Update: Completed - The low ADP of AAOs in the Adult facilities at the time this recommendation was made no longer is the case, as ADPs have increased the past couple of years. Also, the Adult Divisions uses an approach of identifying all AAOs on a daily basis at each facility to assist with tracking them, along with the services of a Sergeant who meets regularly with AAOs to advise them on navigating the jail system and avoiding conflict with other inmates.
30	2.8	Given the uncertainty as to how long COVID-19 restrictions on in-person education will continue, the Adult Divisions should reconsider whether there are any steps that can be taken to support any AAO's interest in continuing to work towards a high school diploma or GED.	Completed - All 9 AAOs in the King County Correctional Facility in May 2022 had completed or were in process of completing their diploma or GED. It is not clear if the Adult Divisions took affirmative steps to encourage youth to complete their educational requirements or if the lack of interest in pursuing an education as noted in a previous report was temporary.
31			
32	July 2020 - June 2021	No new recommendations, as DJAD rolls out JMS, brings Juvenile Division restrictive housing policies in compliance with RCW 13.22 (which addresses some earlier recommendations), and implements us of "The Carey Guides," an alternative behavioral response tool.	
33			
34	July 2021 - March 2022	No new recommendations. List of recommendations through June 2020 was updated to reflect which had been implemented, which were no longer relevant, and where DAJD disagreed with recommendations. The Status column above reflects these outcomes.	
35			
36	April 2022 - June 2023	Recommendation	Status

	A	B	C
37		3.1 The system used to document restrictive housing in JMS should be made more user friendly, involving as few steps as possible to complete the task without compromising the information sharing function. Correctional Supervisors and other employees should have an opportunity to share ideas about ways to improve the data entry process.	In progress - Division staff are working closely with JMS Administrators to develop shortcuts and dashboards to simplify data entry and ensure Supervisors are aware when assessment documentation is due. The Juvenile Division has recently worked with the JMS developers to make some data fields required to ensure data entry is accurate and consistent.
38			
39		3.2 The Chief of Operations or someone of comparable authority should review JMS documentation of restrictive housing events each day to ensure all information expected has been entered and appears correct. This was happening when the entire process was done by paper and there is a continuing need for this level of oversight.	In progress - Along with the shortcuts and dashboard underdevelopment to ease data entry for Corrections Supervisors, JMS reports and dashboards are under development for faster and more consistent quality assurance. Whether the Chief of Operations should resume reviewing the forms is under consideration.
40		3.3 DAJD should install the electronic door lock system that it purchased for CCFJC living units. The system would automatically record time in room and assist with the tracking of youth activities, reduce the need to use the hard copy Youth Accountability Checklist, and produce electronic data that could more easily be associated with and analyzed alongside JMS data. See Recommendation 1.12 and comments re: status.	In progress - The Juvenile Division is exploring electronic room check technology. Division leadership has conducted site visits and met with vendors to understand the capabilities and if the possible vendors are able to meet the Division's documentation and data reporting needs.
41		3.4 The idea of setting up living halls based on the age and developmental stage of each detainee should be explored, with input from representatives from throughout the facility.	In progress - The Juvenile Division is reviewing its current method and factors taken into account for living hall assignment and is researching alternative approaches, including consideration of factors that might result in reducing conflict between youth and the assignment to restrictive housing that can result The Division is also developing a Housing Classification policy.
42			
43	July 2023 - March 2024	Recommendation	Status
44		4.1 Ensure that all staff, but Supervisors in particular, are aware of efforts being made to develop shortcuts and dashboards to simplify JMS data entry and the rationale behind making some data fields required.	
45		4.2 In developing an approach that makes attendance mandatory for some programs and with input from JDOs and Supervisors, continually evaluate which programs, both in and outside the living halls, should be compulsory, on an individual or facility-wide level.	
46		4.3 In developing a programming schedule, consider the importance of providing consistent, predictable programming throughout the week, but especially during periods of time that are otherwise unstructured, such as on weekends.	
47		4.4 With input from JDOs and Supervisors, develop a strategy to ensure that youth return their tablets when required to do so.	

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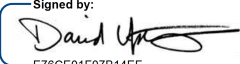
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