



King County

Dow Constantine

King County Executive

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March 31, 2015

Seattle City Council

RE: Race and Equity Action Plan

Dear Honorable City Councilmembers,

The Statement of Shared Commitment between King County and the City of Seattle dated October 13, 2014, charged the County with conducting a Race and Social Justice Assessment and Action Plan to reduce racial disproportionality in the juvenile justice system.

The factors that contribute to disproportionality have been studied both nationally and locally. Existing and emerging studies are conclusive and substantiate the path outlined in the attached Action Plan. They all support our making a paradigm shift in our philosophy of juvenile justice, moving from a system that criminalizes vulnerable youth to one that supports them in leading safe, productive lives.

Beginning in 1998, King County created another major paradigm shift in our criminal justice system by focusing on reducing the incarceration of youth. We have been successful in this endeavor. The County has reduced the use of secure detention by nearly three-fourths, from a high of 205 youth in 2000 to as few as 45 youth in 2014. However, we have not met our goal of addressing disproportionality. In fact, minority youth, and African American youth in particular, are now a substantially *greater* proportion of the smaller number of youth incarcerated today.

So, while we acknowledge success in reducing the overall use of secure detention, we must also face our failure. In the case of African American youth, for example, the proportion has risen from roughly 35 percent of the average daily population fifteen years ago to around 50 percent today—nearly five times their representation in the general youth population of King County.

To live up to the fair and just principles we have adopted as part of our core values, King County will embark upon a major shift in our philosophy of juvenile justice. We commit to ending disproportionality in the juvenile justice system. We commit to decriminalizing homelessness and mental illness. We commit to partnering with our schools and our communities to provide all youth with more options and opportunities. This Interim Report identifies important elements necessary to achieve these goals, including:

1. Documenting King County's successes in substantially reducing the use of detention.
2. Acknowledging that, despite these successes, there is unacceptable and persistent inequity in our juvenile justice system, which we must address.

3. Taking specific and meaningful actions to address inequities brought to light by national research, state and local data, and many of our constituents.
4. Outlining an approach and timeline for engaging members of the community who live with racial disproportionality every day. Our approach builds on our foundation of knowledge of the juvenile justice system's effects on people and communities of color, as well as identifying additional reforms to avoid or minimize those effects.

The conversation around disproportionality has recently been focused on the Children and Family Justice Center that will replace the outmoded, dilapidated existing facility. But the very purpose of the Center is to advance the County's goal of supporting and healing some of its most vulnerable residents, by bringing together, in a respectful and healthy environment, alternatives and programs to help young people and their families overcome challenges. Consistent with this purpose, and with the County's success in diverting youth from adjudication, the detention component of the replacement Center will be dramatically smaller than that in the current facility. The replacement Center will include private rooms for families in crisis, basic services for court clients such as childcare, family and therapeutic courts, and a resource center to connect vulnerable youth and families with preventive and supportive services in their home communities.

The problem of disproportionality goes far beyond detention, and far beyond the justice system. This is about a society that reinforces disparate paths and opportunities based on race in areas of education, school discipline, employment, housing, economic opportunity and, yes, criminal justice.

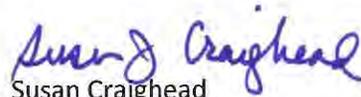
We are taking near-term action to support local efforts, including those led by the community to achieve improvements inside and outside the judicial system. The County will further increase efforts to divert youth *before* they become involved in the justice system.

It is time for action. As government leaders who manage the most significant institution—the juvenile justice system—we accept this challenge. But to make real, meaningful, sustained change, we cannot do it alone. As the title of our October agreement signifies, this is a shared commitment. We will only be successful with the active partnership of school districts, police departments, faith leaders, social service providers, and, most importantly, community members.

As One King County, we will right the wrong of disproportionality in our juvenile justice system and provide an example for others around the nation to emulate. By partnering with the community to create new, evidence-based programs in the short term, and by implementing our Action Plan for the long term, we will create the means to support all our youth and create a successful start to their lives—lives that are meaningful and full of promise.

Sincerely,


Dow Constantine
King County Executive


Susan Craighead
Presiding Judge, King County Superior Court


Larry Gossett
King County Councilmember, District 2

HOW TO READ THIS REPORT

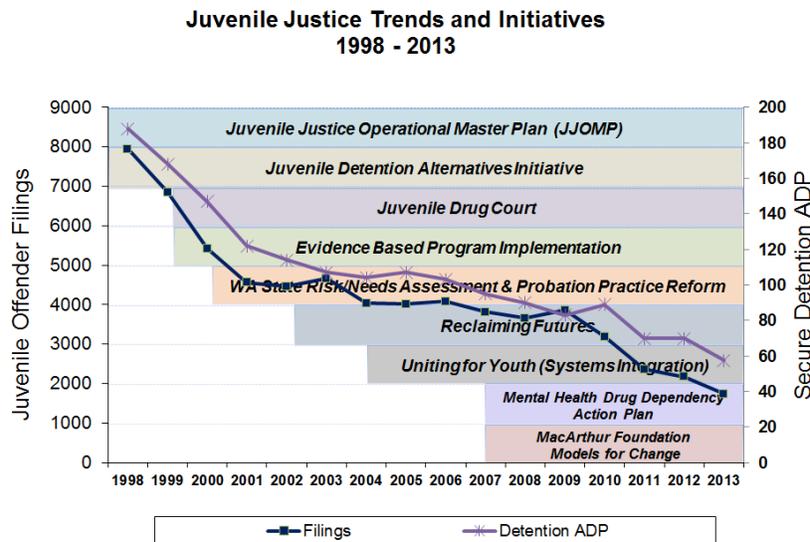
This report is divided into four sections:

- I. ***Reducing the Use of Juvenile Detention***, which documents King County's investments in systemic reforms and community-based programs that have resulted in a steep decline in the use of detention.
- II. ***Our Commitments to Reducing Inequity in the Juvenile Justice System***, which acknowledges the persistent inequity in the system and makes specific, meaningful, and immediate commitments to reforms based on existing research and data, in addition to input from communities of color.
- III. ***The Children and Family Justice Center Replacement Project***, which describes the history of the facility and how community engagement continues to shape the replacement facility.
- IV. ***Approach to Race and Social Justice Action Plan***, which describes the approach and timeline for engaging the communities most affected by our juvenile justice system in identifying additional reforms for reducing inequity in the system.

I. REDUCING THE USE OF JUVENILE DETENTION

Over a decade ago, King County recognized that reducing severe discipline measures—like secure detention—whenever possible is best for vulnerable youth, their families, and communities. This section of the interim report documents King County’s past success in reducing the use of detention through meaningful and sustained system reforms.

The graph below shows that major evidence-based initiatives to reduce the use of detention have resulted in dramatic drops in filings and secure detention.



The following table breaks down annual expenditures for direct services to youth—such as Family Treatment Court—and community based programming.

Agency	Total
Public Health	\$ 8,400,000
DCHS	\$ 13,900,000
Superior Court	\$ 17,900,000
Public Defense	\$ 4,563,928
Prosecutor	\$ 200,000
DAJD Juvenile	\$ 600,000
Total Annual Amount	\$ 45,563,928

*King County dollars spent on youth services, including juvenile court processes but not detention
(2013 Adopted Budget)*

Juvenile Detention Alternatives Initiative (JDAI)

King County has been a JDAI county since 2004. The objectives of JDAI are to reduce the number of children unnecessarily or inappropriately detained, minimize the number of youth who fail to appear in court or reoffend pending adjudication, redirect public funds toward successful reform strategies, and improve conditions of confinement.

To accomplish these objectives, the JDAI focuses on eight core strategies, including reducing racial disparities in juvenile detention.

Washington Partnership Council on Juvenile Justice (WA-PCJJ)

King County has actively partnered with the WA-PCJJ to reduce disproportionate minority contact (DMC). Over the years, WA-PCJJ has provided grant funding and technical assistance to support several King County DMC efforts including the Community Juvenile Justice Coalition, warrant reduction, expedited case processing, and data analysis. WA-PCJJ has also been instrumental in the support and expansion of the JDAI.

King County provides WA-PCJJ data to meet annual federal reporting requirements to measure racial disparity at key points in the juvenile justice process, including disproportionate minority confinement in juvenile detention.

System-wide interventions

Two highlights of system-wide efforts are the Juvenile Detention Alternatives Initiative (JDAI) and the Washington Partnership Council on Juvenile Justice (WA-PCJJ), described in the boxes above. These interventions have led to steep declines in filings and secure detention. (See Appendix B for more King County-funded community-based programming.)

Community-based programming

In addition to the system-wide efforts made by the courts and detention center, King County, through the Department of Public Health, Department of Community and Human Services, and other agencies also funds community partners to provide preventative services and support to court-involved youth and families.

Two highlights of community-based programming are the 4C Coalition Mentor Program and Raising Our Youth As Leaders (ROYAL), described below.

4C Coalition Mentor Program

The 4C Coalition is collaboration between a collective of churches in the Rainier Valley and the King County Superior Court. This program matches youth who are involved in the King County Superior Court system with positive role models from their community. The mentor helps the youth realize alternatives to destructive behavior while participating in positive one-on-one activities. The mentor works with the court and an advocacy team assigned to the youth to help overcome his or her personal challenges.

Raising Our Youth As Leaders (ROYAL) Program

In 1998, King County leaders concerned about racial disproportionality in the juvenile justice system developed a pilot project, ROYAL. Today, ROYAL's staff of six works with about 70 high-risk youth of color each year, all of whom are involved in the criminal justice system. The most recent analysis showed that 80 percent of those involved in ROYAL do not reoffend.

II. OUR COMMITMENTS TO REDUCING INEQUITY IN THE JUVENILE JUSTICE SYSTEM

Many community members feel that there has been a lot of talk about reducing inequity in the juvenile justice system, but little action. We acknowledge that it will take time and follow-through to rebuild trust. To start us down that path, we are making specific and immediate commitments we believe will reduce inequity in the juvenile justice system.

Despite the heightened awareness and activism around inequity in the juvenile justice system, we are not just waking up now to this problem and its effects on our communities. Washington State has long been a forerunner in conducting research studies on the overrepresentation of minority youth within the juvenile justice system. It has actively implemented both delinquency prevention programs and systems improvement activities. The causes of racial disproportionality in the juvenile justice system are well-documented on a national level, aggravated by state and local factors, as described in Appendix C.

Given this context, we are implementing a two-pronged approach: we are making commitments today based on the information we have, and we will also consult with the community and act quickly to implement a broader array of solutions aimed to reduce and eliminate disproportionality.

Based on our current foundation of knowledge, King County is making the following commitments today:

Prevent detention for youth of color and reduce disproportionality

The best way to reduce disproportionality in the juvenile justice system is prevention. The right programming can help youth gain self-esteem, engage in enrichment activities, and lead happier, safer lives. In addition, because there is a relationship between poverty and winding up in the juvenile justice system, we know that some strategies need to focus on increasing economic opportunity for youth of color.

Although there are several community-based programs funded by King County, some youth—especially youth of color, immigrant/refugee youth, and youth from households with low incomes—do not use these programs because they are not readily accessible in many King County communities where youth of color live, or they are not culturally-specific or appropriate.

As such, we commit to increasing programming in the following areas:

- Culturally-specific, community-based outreach and engagement strategies to prevent youth of color from becoming involved in the juvenile justice system.
- Outreach/Case Management models that provide school-based intervention to help youth of color stay connected to school; access preventative services for themselves and their families; obtain employment; enroll in positive alternatives such as athletics, arts, or music; and interrupt the “School-to-Prison Pipeline.”
- Street outreach in areas where high-risk youth congregate, where caring adults can help them access services that provide early intervention, de-escalate conflict, and interrupt gang involvement.

Expand alternatives to detention

Every day in King County, we are putting homeless youth or youth suffering from mental illness in detention because we do not have another safe place for them to go.

We know that youth who are homeless or have mental health issues may be better served if they had alternatives to secure detention. The problem is that these services may not be as available or accessible in the communities where they are most needed. Homeless youth are often found in areas with inadequate support services¹.

As part of this Action Plan, King County will conduct engagement with the most affected local communities on how community-based services are able to replace detention for some youth. To support this effort, King County is also hiring a community liaison. The liaison will be part of a larger community engagement strategy by the County to do outreach and implement community-based solutions. When we identify opportunities to invest in community based services for homeless youth and youth with mental illness, King County will make those investments, which will also help address disproportionality.

Reduce use of detention for status offenses and probation violations

Without enough safe places for youth who are truant or running away from home to go, we are putting them in secure detention. In keeping with the national trend away from placing youth in detention who are truant from school, runaways, and breaking curfew, the Superior Court commits to make every effort to avoid detention for these young people except where the life or safety of a youth is in danger.

Furthermore, with this Action Plan, all three branches of King County government commit to providing the resources necessary to reduce the use of detention for probation violations by 50 percent by April 2016. King County will establish a juvenile probation orientation program to teach youth what to expect and how to interact with a probation officer to avoid violations.

Support for court-involved youth

Despite many efforts to reduce arrest warrants for youth who fail to appear in court, they continue to happen for several reasons: youth are not able to get to court because they lack transportation, they or their families do not understand the legal system or the consequences of not appearing in court, they do not have encouragement or support from families or other responsible or caring adults in getting to court, or their families have a fear of interacting with government.

To address this problem, King County will adapt the Office of Juvenile Justice and Delinquency Prevention guidelines to inform the Action Plan for King County moving forward (see Action Plan for details).

King County will fund liaisons who come from local communities to help court-involved youth and their families understand and work through the legal system. These individuals will be trained in culturally-appropriate outreach and speak the same language as the youth and families they are meeting.

King County will identify and implement solutions to help get youth to court or enable them to appear remotely by video to reduce arrest warrants for failures to appear.

King County will provide additional funding to the Public Defender's Office to build a new team of social service and legal advocates, who will provide a more comprehensive approach to juvenile defense. This investment will provide resources that improve and enhance representation of youth in all stages of the juvenile justice system, so youth of color have increased opportunities for and success with diversion, experience fewer warrants and violations of probation, and have increased access to community based support.

¹ Crosscut: ["Five Things We Learned About Homelessness"](#)

King County Superior Court will re-examine the criteria for admitting youth to detention to try to screen out even more low-risk youth. Also, efforts will be made to address a youth's needs up front rather than require processing through the juvenile court to access services.

We will update the existing "sanction grid" for youth on probation based on recent research. We will implement sanctions that can be effective in teaching youth to respect rules but may not involve incarceration and removal of youth from family, school, and the community. This will include exploring a structured system of graduated incentives for continued progress on community supervision and graduated sanctions to respond to violations.

Reduce the size of detention

King County has heard from many social service providers, faith leaders, and community members that people want to see us reduce the number of detention beds as much as possible, because this will force us to make system, policy, and other changes that will reduce the use of detention.

The current King County Youth Services Center (YSC) has 212 beds. Plans for the replacement Children and Family Justice Center include 144 beds. With this Action Plan, the County Executive is capping detention beds at 112, a further decrease of 32 beds, and a nearly 50 percent decrease from YSC's current capacity. As a practical matter, this reduction means the operable cap is actually far lower, because of the requirement that certain juvenile populations cannot be housed in the same living unit. We still need the capacity to house male and female youth separately, and provide a range of housing options and housing unit profiles that meet the safety and health concerns for youth in the facility.

The space that was originally intended for detention will be leased to community-based organizations that work with vulnerable youth.

Use our power to convene

The County will use its power to convene community leaders and outside organizations to work toward eliminating racial disproportionality and reducing further the use of juvenile detention.

Understanding that the best solution is prevention, these partnerships begin with community-based providers and school districts. We know that school districts are already working on issues of school discipline. For example, Highline School District, as part of their strategic plan², committed to ending out-of-school suspensions (except when critical for student and staff safety). The Roadmap Project—a cooperative effort of seven school districts in South King County—is also working to address this very issue.

We will create formal partnerships with school districts and education organizations on issues of school discipline. These organizations could include, but are not limited to: the Road Map Project, Southeast Seattle Education Coalition, Seattle University Youth Initiative, and Eastside Pathways.

As we move through the "school-to-prison pipeline," we also know that law enforcement and prosecutors play a vital role. We will pursue partnerships with these institutions to help create solutions that keep our community safe and provide the brightest future for our youth.

² [Community 2013-2017 Strategic Plan for Highline Public Schools](#)

III. THE CHILDREN AND FAMILY JUSTICE CENTER REPLACEMENT PROJECT

The Children and Family Justice Center Replacement Project was designed based on stakeholder input and as part of a broader strategy to reduce the use of detention for youth and improve outcomes for vulnerable families. While the County will continue to fight for a world where detention for young people is no longer needed, we believe adult detention is no place for a vulnerable young person.

It is state law that we provide a youth detention facility, and we are legally mandated to provide a safe place for youth who have committed crimes. However, the current facility is decayed, inefficient, outdated, and intimidating for court-involved youth and families. There are more beds and detention space than we need, and because of its size and deteriorating condition, it is increasingly expensive to operate. Additional problems include:

- Both Alder Tower and Alder Wing are in severe disrepair. Over the last decade, problems have included but are not limited to: brown water in cold-water lines; hot water being shut off in lower floors due to significant leakage; drainage problems leading to water seeping through walls; heating, ventilation, and air-conditioning (HVAC) does not work on the 4th and 5th floors of Alder Tower; and sewer gasses permeate the lower levels due to plumbing problems.³
- The maintenance cost on the current buildings over the next 30 years, adjusted for inflation, would be \$67.8 million. Over the same time period, maintenance of a new building would be \$15.2 million, also adjusted for inflation.⁴
- Current court areas are too crowded for most people to find space for confidential conversations. Space is also extremely limited for community programs that could help further reduce the juvenile detention population.

King County's Facilities Management Division (FMD) studied five options for the facility that included partial renovations, relocating facilities to another site, and new facilities onsite. When the cost of land, construction, operations, staffing, and maintenance were all taken into account, King County found that replacing the current structures at the current YSC site was the most cost effective, long term plan.

In 2012, 65.07 percent of City of Seattle voters and 55.42 percent of King County voters approved a \$210 million project levy (as described in the [voter's pamphlet](#) and other public forums) that would replace all facilities, including detention, on the current YSC site. Long-term savings will be found in detention space reduction, energy efficient designs that will cut utility costs, and new facilities that will reduce expensive maintenance.

Public outreach for this project began in 2002 and continues more than a decade later. We gathered public and stakeholder input at roundtable discussions, surveys, and focus groups with families, advocates, and attorneys who have used the Youth Services Center; open houses, community meetings, and briefings in the neighborhood surrounding the facility; and direct outreach at community fairs and festivals throughout King County before and after the 2012 vote. Appendix D includes a project timeline for the Children and Family Justice Center, which shows how King County engaged stakeholders and how their input was considered and addresses in plans for the Children and Family Justice Center. Appendix E provides a summary of community input and how that input was reflected in the conceptual design for the Children and Family Justice Center.

³ [King County Juvenile Court Replacement - Project Overview](#)

⁴ Children and Family Justice Center Options Study

IV. APPROACH TO RACE AND SOCIAL JUSTICE ACTION PLAN

“For these are all our children, and we will all profit by, or pay for, whatever they become.”

James Baldwin

In Section II of this report, King County outlined immediate steps it could take to reduce disproportionality in the juvenile justice system. However, to truly eliminate disproportionality, we must get at root causes. This section describes King County’s approach to partnering with schools, police departments, social service providers, and community members to identify a shared vision for juvenile justice and create measurable objectives, action steps, and a timeline for realizing that vision.

Despite the urgency we all feel at this moment in history, the U.S. Department of Justice Office of Juvenile Justice and Delinquency Prevention (OJJDP) and local experts in community and inclusive engagement caution that developing consensus among community stakeholders around goals and priorities is integral to success, but it takes time.

That being said, it is not okay to have even one youth in detention who should not be there. As we conduct community engagement, when we identify opportunities to take immediate action that will prevent even one youth of color from going to detention when an alternative would be better, we commit to taking immediate action on those items. Anything we can do now, we will do.

Our approach will adhere to the following guiding principles:

- King County will convene a broad and deep set of stakeholders required to create a systemic approach to assessing and addressing inequity in the juvenile justice system. This includes, but is not limited to community members, especially the residents most affected by disproportionality in the juvenile justice system; voters; courts; school districts; law enforcement; social service providers; and the faith community.
- King County will respect the time of community members who engage in this process. As such, we will always be clear about how we will use public input, and we will always report back to the community on how their input has been considered and addressed.
- The County will engage in culturally-sensitive practices, including respecting community members’ time, holding meetings at accessible locations and at a variety of times to accommodate different schedules, providing child-friendly activities and meals, and offering translation and interpretation.
- King County will engage credible local and national experts around best practices and new and innovative practices in ending disproportionality. These practices will be research-based and proven to work in traditionally underserved populations.
- When we identify opportunities to make immediate policy or other changes that will address disproportionality, we will take them, regardless of where we are in the process.
- King County’s final recommendations will evaluate metrics so we can measure the progress being made to end disproportionality.

This section describes each phase of our approach.

Create the Action Plan Framework

Objective: Create an action plan with stakeholders throughout King County, including community members, voters, courts, school districts, law enforcement, social service providers, and the faith community. This approach is also informed by King County’s Equity Review Tool (Appendix F), the Environmental Protection Agency’s Environmental Justice Assessment guidelines, and King County’s Community Engagement Worksheet (Appendix G).

A strong, credible approach to creating an action plan builds the foundation for achieving an end to inequity in the system. Instead of announcing an approach, King County will consult with stakeholders before finalizing the approach.

This phase will include the following steps:

1. Identify a Steering Committee for the Action Plan. Representation for the Steering Committee to be determined by the King County Executive, King County Superior Court, and King County Council, in consultation with community members. The Steering Committee members will:
 - a. Have strong relationships with historically underserved or underrepresented communities
 - b. Include community members, representatives from community-based organizations, faith leaders, and other stakeholders from geographic areas with disproportionate populations of youth of color in the juvenile justice system
 - c. Hold a strong belief in ending inequity in the juvenile justice system according to the County’s “fair and just” principle
 - d. Have strong capacity and experiences in collective impact work, i.e., bringing stakeholders together in a structured way to achieve social change starting with a common agenda and vision, establishing shared measurement for continuous improvement, fostering mutually-reinforcing activities, encouraging ongoing communication, and supporting the work of the group
2. Identify experts in child and adolescent development, mental health, child welfare, education, criminal justice, and human rights to support development of the Action Plan.
3. Prepare to work on two separate but related tracks:
 - a. The first track will identify near-term steps to address inequity in the juvenile justice system, by focusing on reducing disproportionate outcomes from decisions made at each point of the juvenile justice system. Key partners for this first track are law enforcement and educators. We will use the OJJDP’s framework for addressing disproportionality, as it has been successful in other urban jurisdictions elsewhere in the country.
 - b. The second track will focus on creating alternatives to the juvenile justice system and detention and establishing programs designed to prevent young people from ever becoming part of the juvenile justice system. It will take longer for these efforts to affect racial disproportionality, but the benefits will be broader and deeper. Key partners on the second track are educators, child advocates, and leaders of the child welfare and mental health systems
4. Conduct community engagement to develop a shared vision for the overall Action Plan and goals for each track. Throughout this process, the Steering Committee will seek community input, present the information or data it is relying on to form its recommendations, and produce a clear, concise public document articulating the Action Plan’s vision and the near and longer-

term goals of the Action Plan. We will also identify and engage partnerships with community-based organizations in stakeholder communities to support outreach.

5. Gather data to determine how best to achieve the goals set through the community engagement process. An example of the kind of data the steering committee will need and the method by which we will gather and report the data is attached in Appendix H.

Bring possible solutions and strategies to the community

The Steering Committee will ask the community (stakeholders, service providers, faith leaders, educators, families) which strategies seem most promising to them. The Steering Committee will also ask which strategies should be considered in addition to or in lieu of the strategies under consideration. The Steering Committee will ask the community to prioritize strategies and define what success would look like with respect to each strategy they endorse.

Identify solutions and measurable objectives

Based on feedback from the community, the Steering Committee will prioritize strategies and set measurable objectives to evaluate whether each strategy, program, or practice is successful, and over what period of time results should be measured. This will be a continuous process of improvement, evaluation, engagement, and ultimately, more improvement.

Appendices:

- A. Statement of Shared Consent, King County and City of Seattle, October 13, 2014
- B. King County Youth Program Highlights, 2013
- C. National research into causes of racial disproportionality, King County Superior Court, March 30, 2015
- D. Children and Family Justice Center Project Timeline, 2015
- E. Children and Family Justice Center Community Input and Design Responses, March, 2015
- F. King County Equity and Social Justice Equity Impact Review Tool, 2010
- G. King County Community Engagement Worksheet, May, 2011
- H. King County Action Plan – Sample Data Questions, March 30, 2015