

Reporting Period: July 1, 2023 - March 31, 2024

REPORT

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**RESTRICTIVE HOUSING - INDEPENDENT MONITORING TEAM REPORT
July 1, 2023 - March 31, 2024
EXECUTIVE SUMMARY**

This is the sixth Independent Monitoring Team Report on Implementation of King County Council Ordinance 18637 by the Department of Adult and Juvenile Detention (DAJD). Ordinance 18637 provides for limits on the use of restrictive housing/solitary confinement for juveniles detained in DAJD facilities.

The challenges encountered by DAJD during the current restrictive housing monitoring period are primarily those the department has been facing for a number of years: staffing shortages, an increase in the Average Daily Population (ADP) for both the adult and juvenile facilities, a higher number of juvenile detainees being booked on more serious charges, and a longer average Length of Stay (LOS) for youth in secure detention whose cases are being heard in Adult Superior Court. These challenges can impact how frequently restrictive housing is used, how frequently modified programming is necessary, whether there are sufficient numbers of staff 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 DAJD staff's ability to prioritize documentation and tracking of restrictive housing related data while simultaneously needing to train and mentor new employees and assist in juvenile detainee engagement and program management.

However, progress continues to be made on maximizing the capabilities of the Jail Management System (JMS) and the Juvenile Division is instituting JMS data entry short cuts and other changes to make the system more user friendly. It is also exploring options for electronic room checks to assist with documenting the activities of juveniles throughout the day. Both of these initiatives should help address a decrease in documentation for some of the required assessments when a youth is placed in restrictive housing.

New hires this year include an Intervention Specialist to assist in addressing group conflict and a Community Services Coordinator who is tasked with building out the Juvenile Division's programming services. Robust and predictable programming is vital in a juvenile detention setting to help keep youth active and deter conflict. If juveniles experience less peer-to-peer conflict, the need for using restrictive housing as a behavioral response should also decrease. DAJD is taking the steps needed to enhance programming at CCFJC and impacts on restrictive housing will be closely watched.

Juveniles over the age of 18 who have transferred to an Adult Divisions facility continue to work to obtain a high school degree and the DAJD is exploring job readiness programs and community college options. King County Corrections Facility discovered a group of previously unreported incidents of restrictive housing, which are discussed in the report, along with an explanation as to steps to be taken to prevent a reoccurrence.

RESTRICTIVE HOUSING - INDEPENDENT MONITORING TEAM REPORT

July 1, 2023 - March 31, 2024

I. INTRODUCTION

This is the sixth 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, which places limitations on the use of restrictive housing for juveniles detained in DAJD facilities. Pursuant to a proviso in King County's 2023 - 2024 Biennial Budget, this report analyzes DAJD's compliance with K.C.C. Chapter 2.65 and Chapter 13.22 RCW and presents data regarding restrictive housing for the period July 1, 2023 - March 31, 2024, compares the data to information provided in earlier reports, discusses restrictive housing implementation efforts and challenges encountered, makes recommendations where process improvement opportunities are identified, and updates DAJD's response to previous monitoring team recommendations.

II. KING COUNTY'S RESTRICTIVE HOUSING ORDINANCE 18637, WASHINGTON STATE RCW 13.22 ON ROOM CONFINEMENT AND ISOLATION, & KING COUNTY'S 2023 - 2024 BIENNIAL BUDGET PROVISOR RE: RESTRICTIVE HOUSING

Restrictive housing of juveniles in King County is regulated by Ordinance 18637 (or "the Ordinance") and Washington State RCW 13.22. The Ordinance and a King County 2023 - 2024 Biennial Budget proviso also mandate independent monitoring of restrictive housing of detained youth and require that monitoring reports be transmitted to King County Council by the County Executive.² The restrictive housing provisions mandated under the Ordinance and RCW 13.22 are summarized below, followed by an outline of issues to be reviewed and reported through the independent monitoring process, per the 2023 -2024 budget proviso.

A. King County's Restrictive Housing Ordinance 18637

¹ The independent monitoring team members are Kathryn Olson, Change Integration Consulting, LLC, and Bob Scales, Police Strategies, LLC.

² Ordinance 18637 § 6; Ordinance 19546, Proviso P1, § 54.

Ordinance 18637 prohibits the restrictive housing³ of certain youth/juveniles 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.⁴

The Ordinance 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 the Ordinance though detained at the King County Correctional Facility (KCCF) or Maleng Regional Justice Center (MRJC).

Under the Ordinance, “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. Washington State 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.⁵ The Washington statute provides limits on the use of room confinement that extend beyond the mandates of King

³ The Ordinance 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. The Ordinance makes clear that its mandates apply regardless of the terminology used (e.g., solitary confinement, room confinement, segregated housing, restrictive housing, etc.). RCW 13.22.010 introduces another taxonomy of terms related to solitary confinement, as discussed below.

⁴ A list of explanations underlying enactment of Ordinance 18637 included studies “on the psychological effects of solitary confinement on juveniles 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. To support this approach, the County participates in the Juvenile Detention Alternatives Initiative (JDAI) and relies on JDAI standards.

⁵ RCW 13.22. Prior monitoring reports for the periods April 2022 - June 2023 and July 2021 - March 2022, provided detailed overviews of RCW 13.22 and discussed various ways the requirements under Washington law are similar to and differ from restrictive housing mandates under Ordinance 18637.

County Ordinance 18637, requiring the Juvenile Division to bring its restrictive housing policies and practices into compliance.⁶ As discussed in the prior monitoring report for the period July 1, 2021 - March 31, 2022, the DAJD's Juvenile Division conducted an in-depth review of restrictive housing protocols and staff roles, responsibilities, and communication expectations, to ensure practices are in line with RCW 13.22.

"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 King County's Ordinance 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 as a behavioral response, while RCW 13.22 sets out the conditions using the terms "room confinement" and "isolation."

⁶ 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.

**COMPARING ORDINANCE 18637 AND RCW 13.22
 TERMINOLOGY USED AND MINIMUM REQUIREMENTS**

Ordinance 18637	RCW 13.22	
<i>Solitary Confinement/ Restrictive Housing</i>	<i>Room Confinement</i>	<i>Isolation</i>
<ul style="list-style-type: none"> 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, correctional facility staff, and attorneys.⁷ Can use when, based on the juvenile's behavior, it is necessary to prevent imminent and significant physical harm and less restrictive alternatives were unsuccessful. 	<ul style="list-style-type: none"> Defined as: A juvenile is separated from the youth population and placed in a room or cell that the juvenile is assigned to for sleeping, other than during normal sleeping hours or interim rest hours. [It] does not include time a youth requests to spend in his or her room or rest periods in between facility programming. Juveniles are in room confinement from the moment they are separated from others until they are permitted to rejoin the population Can use when a youth's behavior causes disruption to the facility, or there is a safety or security concern that does not rise to the level of imminent harm, and less restrictive measures are not effective. 	<ul style="list-style-type: none"> Defined as: Confinement that occurs (a) when a youth is separated from the youth population and placed in a room for longer than 15 minutes for the purpose of discipline, behavior modification, or due to an imminent threat to the safety of the youth or others; and (b) in a room other than the room assigned to the youth for sleeping. Juveniles are in isolation from the moment they are separated from others until they have rejoined the population. Juveniles who are pregnant shall not be put into isolation. Maintaining appropriate gender separation does not constitute isolation. Can use as a last resort if less restrictive alternatives were unsuccessful to prevent imminent harm to the youth or others; when waiting for transfer to another facility; overnight if the youth's behavior is too disruptive to other youth;

⁷ A youth who voluntarily requests to spend time in their assigned room is not included in the state law's definition of room confinement. While DAJD policy does not include a youth choosing to voluntarily rest in their room under its definition of restrictive housing, King County Ordinance 18637 does not make a distinction between involuntary and voluntary time-in-room. The monitoring team has recommended that King County Council amend Ordinance 18637 to distinguish between voluntary youth requests for time in their room and involuntary confinement due to behavioral issues. Such a distinction is important for building legitimacy in the Ordinance among those who must follow its mandates, including JDOs and other staff. During the current evaluation period, King County Council's Law and Justice Committee has been considering the voluntary/involuntary issue and other recommended changes.

		or, in response to an escape attempt.
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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,⁸ including the number of times restrictive housing was used, circumstances leading to restrictive housing, the duration of each use, if supervisory reviews occurred and were documented, the age and race of youth involved, medical and mental health assessments, and access to medication, meals and reading materials.⁹ Through restrictive housing monitoring reports and other means, the Juvenile Division has been compiling and publishing this sort of data since the Ordinance became effective, prior to the publishing mandates under RCW 13.22.

In compliance with both the Ordinance 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).
- 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.

⁸ In order to comply with both RCW 13.22 and the Ordinance, the Juvenile Division now reports all events that last 60 minutes or longer. This results in a higher number of reported events compared to historical data, when Time Outs and up to two-hour Cool Down periods were permitted and time in restrictive housing did not start until after any initial Cool Down.

⁹ 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 CCFJC.

- 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.

A multidisciplinary team (MDT team) of CCFJC detention staff and supervisors, mental health professionals, 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 that day, whether or not they are in restrictive housing.

The Juvenile Division continues to explore behavioral response alternatives to avoid the use of restrictive housing or 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 all staff share an understanding as to what is necessary for reintegration back into routine activities with peers in their living hall.

Due to staffing shortages, one-on-one programming has rarely been used recently. However, due to misunderstandings about the use of one-on-one programming, it is important to stress that this behavior response continues to be a viable means to engage youth outside of their room, either in conjunction with restrictive housing as a step-down process before a youth is fully regulated and ready to integrate with other youth and/or when two or more youth in the same hall cannot be out of their rooms at the same time due to behavioral issues or other reasons for separation, such as gang affiliation.¹⁰ One-on-one programming falls within the technical definition of restrictive housing under the Ordinance, though the Juvenile Division has not been including time spent in this type of programming as counting towards the total time in restrictive housing. Recommendations have been made previously to amend the Ordinance to exclude one-on-one programming from the definition of restrictive housing.

¹⁰ When split programming has been used during the current evaluation period, it usually means the youth coming out of their room joins in a group activity, rather than one-on-one programming with a JDO.

While addressed in previous reports, it is also important to emphasize that the Juvenile Division discontinued use of Restoration Hall¹¹ 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 reinstating Restoration Hall, assuming a sufficient number of available staff. JDOs who were interviewed for this evaluation period and previously are generally in support of the concept of Restoration Hall, as it would allow for staff with the most interest and expertise in facilitating restorative practices to work with youth assigned to that living hall, and free up JDOs to manage and program with the remaining youth.

C. King County's 2023 - 2024 Biennial Budget Proviso Regarding Restrictive Housing and Report Methodology

King County's 2023 - 2024 Biennial Budget added a proviso that requires the Executive to continue the use of independent monitoring to review and report on DAJD's use of restrictive housing for juveniles in county detention facilities, building on prior monitoring reports.¹² The first of two reports mandated by the proviso was submitted September 15, 2023, evaluating DAJD's restrictive housing practices for juveniles during the period April 1, 2022 - June 30, 2023. This is the second of the two required reports, to be submitted by June 15, 2024, and addresses issues related to restrictive housing during the period July 1, 2023 - March 31, 2024.

Each of the two reports is to include an analysis of DAJD's compliance with K.C.C. chapter 2.65 and chapter 13.22 RCW, and should include, but not be limited to:

- A. A discussion of challenges, progress and setback, and any significant management, policy, or operating environment changes that have occurred since the prior report related to behavioral interventions and confinement of juveniles of county detention facilities;
- B. A review of the number of times solitary confinement was used during the evaluation period;
- C. An evaluation of the circumstances for the use of solitary confinement;

¹¹ 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.

¹² Ordinance 19546, Proviso P1, Section 54. The reports are to build on prior reports submitted on practices related to the confinement of juveniles as required by Ordinance 18637, Section 6, Ordinance 18930, Section 36, and Ordinance 19210, Section 50.

- D. A review of the average duration of solitary confinement incidents, including an evaluation of any incident exceeding four hours;
- E. A review of the documentation of supervisory review before the use of solitary confinement, including an evaluation of any incidents exceeding two hours when supervisory review did not occur;
- F. A review of the documentation of medical and mental health assessments of youth in solitary confinement, including an evaluation of any incidents when health clinic staff was not notified within one hour or an assessment by a medical professional was not completed within six hours;
- G. 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 an evaluation of any incidents when such access was not documented;
- H. The age and race of youth involved in each restrictive housing incident;
- I. An assessment of the progress by the department of adult and juvenile detention juvenile division on implementing the recommendations outlined in previous monitor reports, and
- J. 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.

Under the Ordinance and budget proviso, the monitoring process should include consultation with stakeholders, including representatives of the King County Juvenile Detention Guild (Department of Adult and Juvenile Detention - Juvenile), representing employees of DAJD's Juvenile Division (Juvenile Detention Guild). The methodology used in gathering information for the July 1, 2023 - March 31, 2024, evaluation period included meetings and interviews held with representatives of the Juvenile Detention Guild Executive Board; members of the DAJD senior management team, including the Deputy Director of Administration, the Juvenile Division Director, and the Juvenile Division Deputy Director; members of the Juvenile Division management team, including the Juvenile Division Program Manager, the former Juvenile Project and Program Manager, and Juvenile Detention Supervisors; the Juvenile Division Community Services Coordinator; the Juvenile Division Intervention Specialist; Juvenile Detention Officers (JDOs); the King County Library System Youth and Family Services Manager; youth detained at CCFJC and Adult Age-Outs (AAOs) detained at the King County Correctional Facility (KCCF); an administrator and teachers from the Seattle Public School System working with detained juveniles; the Adult Divisions Program Manager; a member of the Adult Divisions Command team, and others.

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.¹³ For purposes of the current evaluation, updated documentation and data for the period July 1, 2023 - March 31, 2024, was also reviewed, including material related to specific restrictive housing incidents, such as Restrictive Housing Assessment Checklists, restrictive housing summary data compiled by DAJD, and recent reports related to restrictive housing, including the King County Auditor's Office report, "Juvenile Detention: Many Youth Face Long Stays in Facility Designed for Short-Term Support (April 24, 2024)" and a Development Services Group, Inc. report submitted to DAJD titled, "Juvenile Detention Safety and Security Analysis (October 3, 2023)."

The remainder of this report addresses the issues outlined above, per the proviso in King County's 2023 - 2024 Biennial Budget.

III. CHALLENGES, PROGRESS AND SETBACKS (PROVISO A)

The challenges encountered by DAJD during the current restrictive housing monitoring period are primarily those the department has been facing for a number of years: staffing shortages, an increase in the Average Daily Population (ADP) for both the adult and juvenile facilities, a higher number of juvenile detainees being booked on more serious charges, and a longer average Length

¹³ 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; CCFJC detainee intake and screening documents; Youth Accountability Checklists; health clinic youth monitoring forms; CCFJC 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. Meetings, interviews, and observations since the monitoring team began its work have included: DAJD management, facility commanders, supervisors, Juvenile Detention Officers (JDOs), and administrative staff; representatives of the defense bar, social service providers, schoolteachers working with detained youth, program providers, representatives of the King County Juvenile Detention Guild, and youth and AAO detainees. The monitors have also observed detainees on-site engaging in a variety of educational, programming, and other activities.

of Stay (LOS) for all youth in secure detention, but particularly those whose cases are being heard in Adult Superior Court. In combination, these challenges can impact how frequently restrictive housing is used, how frequently modified programming is necessary, whether there are sufficient numbers of staff 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, the need for using mandatory overtime and staff morale, and DAJD staff's ability to prioritize documentation and tracking of restrictive housing related data while simultaneously needing to train and mentor new employees and assist in juvenile detainee engagement and program management.

Progress continues to be made on learning to use and maximize the capabilities of the Jail Management System (JMS). Restrictive housing data collected through JMS and required for reporting compliance under the Ordinance and RCW 13.22 continues to be refined. Having the Restrictive Housing Checklist forms downloadable from JMS and available for review in pdf was very useful during the monitoring process.

There has been significant progress in enhancing programming alternatives at the CCFJC. A Community Services Coordinator was hired to develop Juvenile Division programming, identify and initiate contracts with service providers, arrange for the infrastructure necessary to support a variety of programs, and take other steps to enhance programming options. The significance of predictable and consistent programming as a means to engage detained youth and deter conflict is discussed below in Section V.A. DAJD also hired an Intervention Specialist with a doctorate and training as a JDO, who is able to help mitigate conflict and can assist in ensuring programming is not disrupted.

Progress is also being made to consider and implement some of the recommendations made in the Development Services Group, Inc.'s report, "Juvenile Detention Safety and Security Analysis (October 3, 2023)," (Safety and Security Analysis). For example, Juvenile Division Director Jeneva Cotton has invited employees to participate in two groups formed to assess and improve staff retention and the behavior management system. Staff retention issues are noted above and have been an ongoing concern. The behavior management system has undergone a number of changes the past several years, but is considered nonetheless to be ineffective by staff interviewed during the monitoring process and by the consultants who produced the Safety and Security Analysis. As noted in that report:

Many of the JDOs and supervisors feel that there is a lack of meaningful consequences and learning opportunities for youths who misbehave. Some of the interviewees commented that they felt powerless to address youths' misbehavior.¹⁴

The work groups that have formed to study alternative behavior management systems and ways to improve staff retention also serve the goal of enhancing management-staff relationships by fostering open communication, involving staff in helping to set strategic priorities, and supporting an inclusive organizational culture.¹⁵

With regards to setbacks, there was a decrease in documentation of medical and mental health assessments required for youth in restrictive housing for extended time periods. The discussion below in Section IV.A suggests potential explanations for the decline in documentation and reasons to be confident that appropriate assessments take place, despite the lack of documentation in some circumstances. Also, although there was an overall increase in the use of restrictive housing, the average time youths were confined, if assigned to restrictive housing, decreased.

IV. RESTRICTIVE HOUSING DATA TRACKING (PROVISO B, C, D, E, F, H)

A. Juvenile Division: Restrictive Housing Data Tracking

In the last restrictive housing monitoring report, DAJD's implementation of the Jail Management System (JMS) was discussed, including the potential for JMS to record, measure, and track key performance indicators related to youth behavioral responses, including the use of restrictive housing. The monitoring noted the benefits of having access to digitized data, after having worked primarily with handwritten hard copy documentation related to restrictive housing.

There is great potential in having more electronic data available for analyzing factors such as the frequency of restrictive housing, the length of time youth are in restrictive housing, the demographics of youth assigned to restrictive housing, whether youth have access to education, programming, and basic necessities, and whether required supervisory, medical, and mental health assessments are conducted during a youth's confinement. However, the April 1, 2022 - June 30, 2023, monitoring report noted feedback received from across the Juvenile Division about difficulties encountered with using JMS. An increase in CCFJC's ADP and implementation of

¹⁴ Safety and Security Analysis, 28.

¹⁵ Id., 19 - 21.

RCW13.22 contributed to an increased number of restrictive housing events, even if of short duration, but all requiring supervisory involvement from the outset. Most of the documentation required at each step of the restrictive housing approval and assessment process is the Corrections Supervisors' responsibility and involves entries on multiple computer screens for the many juveniles who might be in restrictive housing at any given time in multiple living halls. Juvenile Division Corrections Supervisors complained how the data entry process takes away from time to engage with youth and staff, coaching and mentoring JDO, helping to de-escalate conflict that could otherwise result in restrictive housing, and other important responsibilities. Their jobs have become all the more challenging in the face of staffing shortages, on-going training of new staff, higher ADPs, and youth coming into CCFJC with more serious criminal charges and more significant mental health issues. Supervisors recognize the many advantages of JMS's electronic database, but acknowledged that, as a result of the competing and more complex demands on their time, they sometimes de-prioritize data entry to handle more immediate issues developing with the youth and JDOs.

These issues (and others detailed in the last report) related to JMS resulted in a recommendation that the data entry system should be made more user friendly, involving as few steps as possible to complete the task without compromising the information sharing function. It also was recommended that Correctional Supervisors and other employees should have an opportunity to share ideas about ways to improve and streamline the data entry process. The Safety and Security Analysis study conducted by the DSG consultant also raised concerns about data quality assurance and, along with other suggestions, recommended the following changes:

- Use a check-the-box format for all data elements
- Formulate variables requiring yes/no responses, followed by a narrative section (if necessary)
- Distinguish between discharge from and supervision and temporary release
- Capture and preserve data elements that may be relevant to future analytic questions.¹⁶

DAJD has developed specific views within JMS for the Detention Supervisors including tabs to review active and pending Restrictive Housing check tasks. While DAJD considers additional potential improvements to the system for documenting and tracking data in JMS,¹⁷ the problem of missing data has worsened over time with regards to assessments to be conducted of youth in

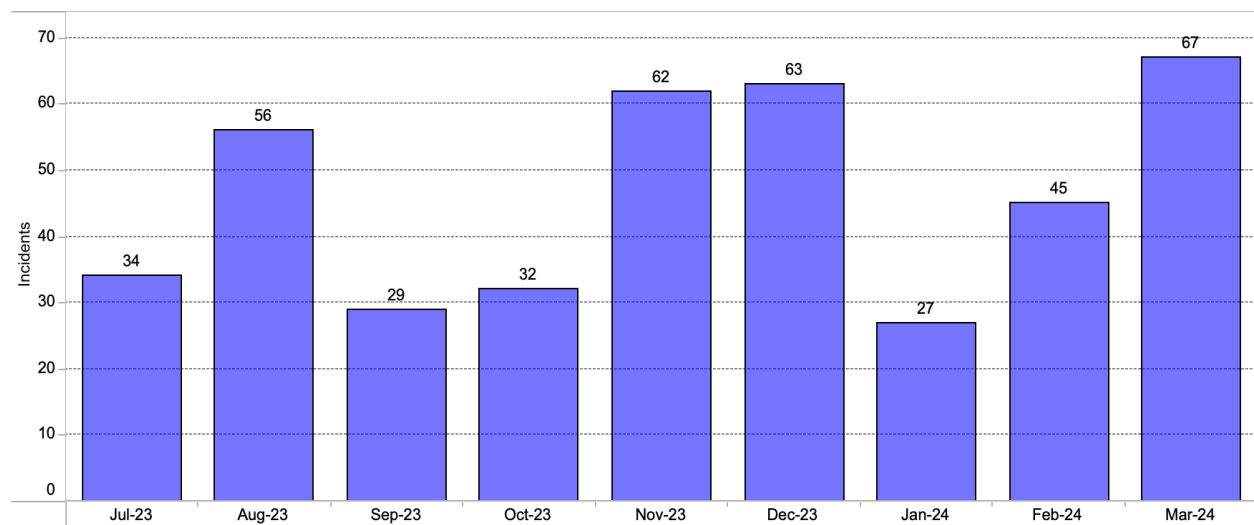
¹⁶ Safety and Security Analysis, 30.

¹⁷ See, e.g., Attachment A, Status of Restrictive Housing Monitoring Recommendations (Updated May 24, 2024), for other details.

restrictive housing, making it difficult at best to draw meaningful conclusions regarding some factors relevant to the monitoring review and reporting functions.

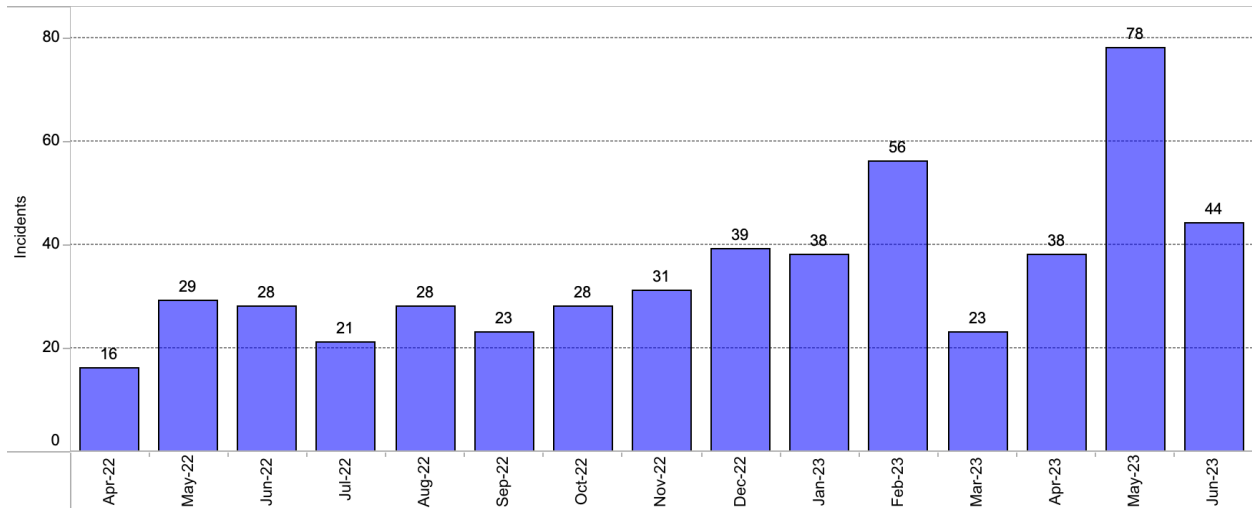
There were 415 restrictive housing incidents involving 139 juveniles out of the total 645 youth booked into detention at CCFJC between July 1, 2023, and March 31, 2024. Details concerning these incidents and the demographics of the involved youth are summarized below.

**1.1 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Restrictive Housing Incidents by Month
(n = 415 Incidents)**



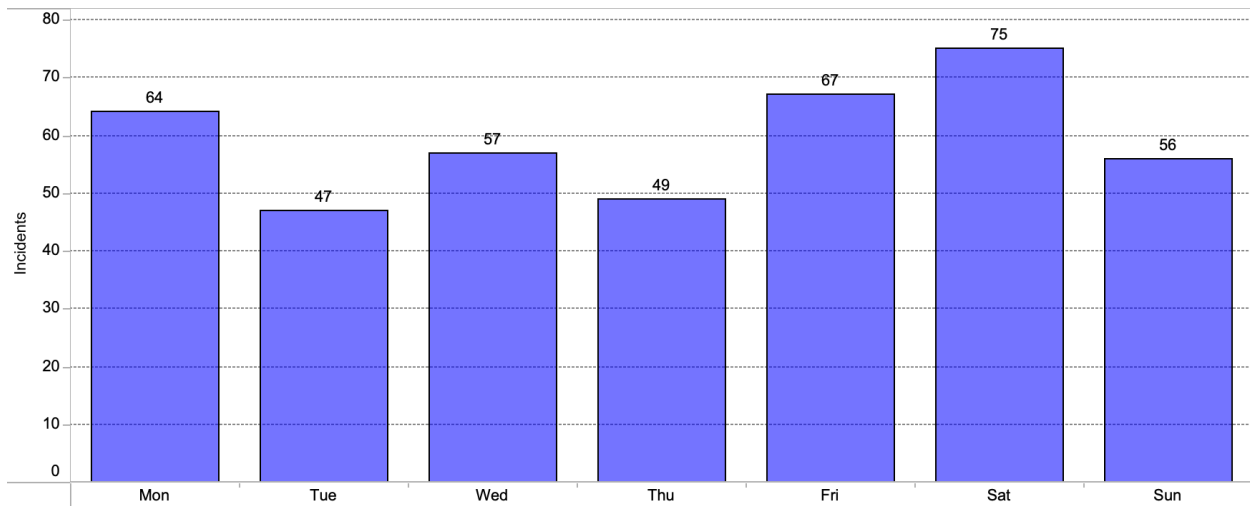
As illustrated above in Diagram 1.1, during the current evaluation period, the highest number of restrictive housing incidents occurred in March 2024, with a range of 62 - 67 incidents during the months of November and December 2023, and March 2024. About twice as many incidents were recorded in those three months, compared to the months of July, September, and October 2023, and January 2024. Further, the overall frequency of restrictive housing has increased since the last restrictive housing evaluation period, April 1, 2022 - June 30, 2023, as illustrated below in Diagram 1.2.

**1.2 DAJD Juvenile Division
Youth in Restrictive Housing
Restrictive Housing Incidents by Month
For the Previous Evaluation Period: April 1, 2022 - June 30, 2023
(n = 520 Incidents)**



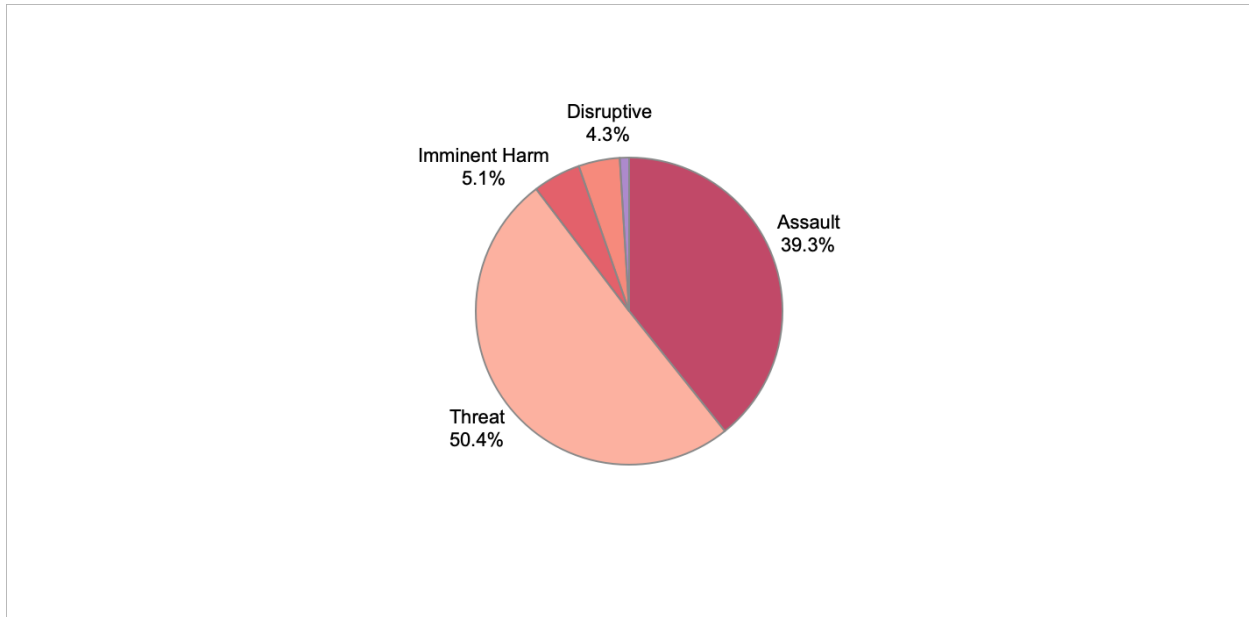
As seen in Diagram 1.2 above, between April 2022 and June 2023, there were 520 incidents over 15 months, for an average of 35 restrictive housing events per month. During the nine months under review in the current monitoring evaluation period, July 2023 - March 2024, there were 415 incidents, for an average of 46 restrictive housing events per month. This represents an approximate 25 percent increase in the rate of restrictive housing incidents since the previous monitoring period. In May and November of 2023, groups of youth from Echo Glen arrived at the CCFJC pending new charges. Both events were followed by a two-month spike in assaults and, thus restrictive housing.

**1.3 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Restrictive Housing Incidents by Day of Week
(n = 415 Incidents)**



During the nine months under current review, the highest number of restrictive housing incidents occurred on Fridays (67 incidents) and Saturdays (75 incidents), though the 64 restrictive housing events that fell on a Monday are close behind. Some JDOs who were interviewed emphasized the lack of programming that has been available on weekends that has contributed to boredom and tension among youth that often results in conflict that can lead to restrictive housing. This anecdotal input is in line with the data above, indicating a higher number of restrictive housing incidents on Fridays and Saturdays. Instituting a robust, consistent, and predictable programming schedule at the CCFJC is an important strategy to keep both youth and staff safe throughout the week and is discussed below in Section V.A. In response, the Juvenile Division has prioritized partnering with community-based organizations that can provide programming on weekends and during other periods of time youth are less likely to be engaged with school and other routine activities.

**1.4 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Youth Behavioral Reasons for Restrictive Housing
(n = 415 Incidents)**



While the *type* of juvenile behavior that requires a restrictive housing response (i.e., assault, threat, disruptive) is routinely noted in the Restrictive Housing Assessment Checklist and other documents such as the Youth Accountability Check Sheet, there is still inconsistency as to the level of detail provided about each incident. 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 the Ordinance and RCW 13.22. Some of this lack of detail is related to the problem of Corrections Supervisors having to de-prioritize data entry in order to meet other job responsibilities. The fact that some data, such as that in Behavior Response forms, is not yet linked up to restrictive housing information in JMS also contributes to the lack of readily available specifics, even when more detail about an incident has been documented. These are issues that have been raised before and require on-going attention as they are related to other challenges in the Juvenile Division, including staff shortages and the increased ADP.

**1.5 DAJD Juvenile Division
Youth in Restrictive Housing
Comparing Youth Behavioral Reasons for Restrictive Housing
in Current and Previous Evaluation Periods**

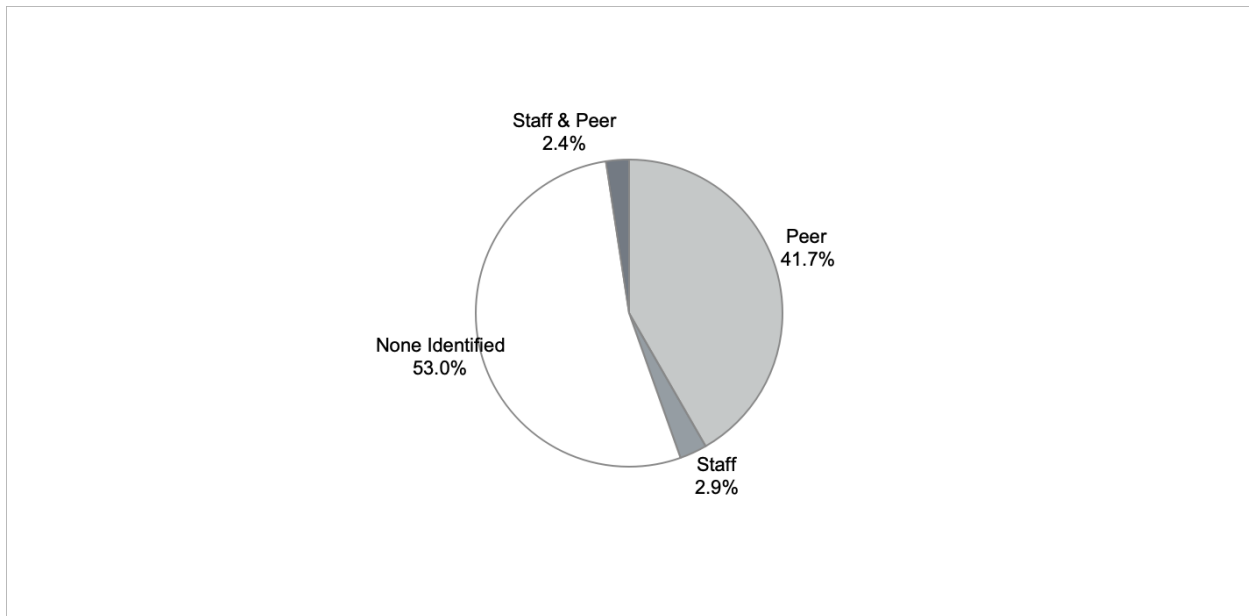
Behavioral Reasons for Restrictive Housing	April 1, 2022 - June 30, 2023 (n= 520 incidents)	July 1, 2023 - March 31, 2024 (n = 415 incidents)
Assault	48%	39%
Threat	22%	50%
Disruptive	6%	4%
Imminent Harm	23%	5%
Other (e.g. Court ordered)	1%	2%

A comparison of the circumstances leading to restrictive housing shows a 28 percent increase in youth making verbal threats as the reason underlying confinement and a decrease of 18 percent in imminent harm leading to restrictive housing. However, in implementing RCW 13.22 documentation requirements into Juvenile Division procedures and integrating information into JMS, the drop-down menu of potential explanations for restrictive housing does not include "imminent harm." Since restrictive housing under the Ordinance can 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,"¹⁸ imminent harm should actually be a consideration for all circumstances leading to restrictive housing.

It is also important to bear in mind that youth engage in threatening and assaultive behavior more frequently than is represented in the two diagrams above. Depending on the specifics involved, behavior response actions can include taking away privileges such as the option to earn an extended bedtime, engaging in restorative problem solving without also imposing restrictive housing, or a loss of time accumulated at a previously earned level of the tiered behavior incentive system or demotion to a lower level.

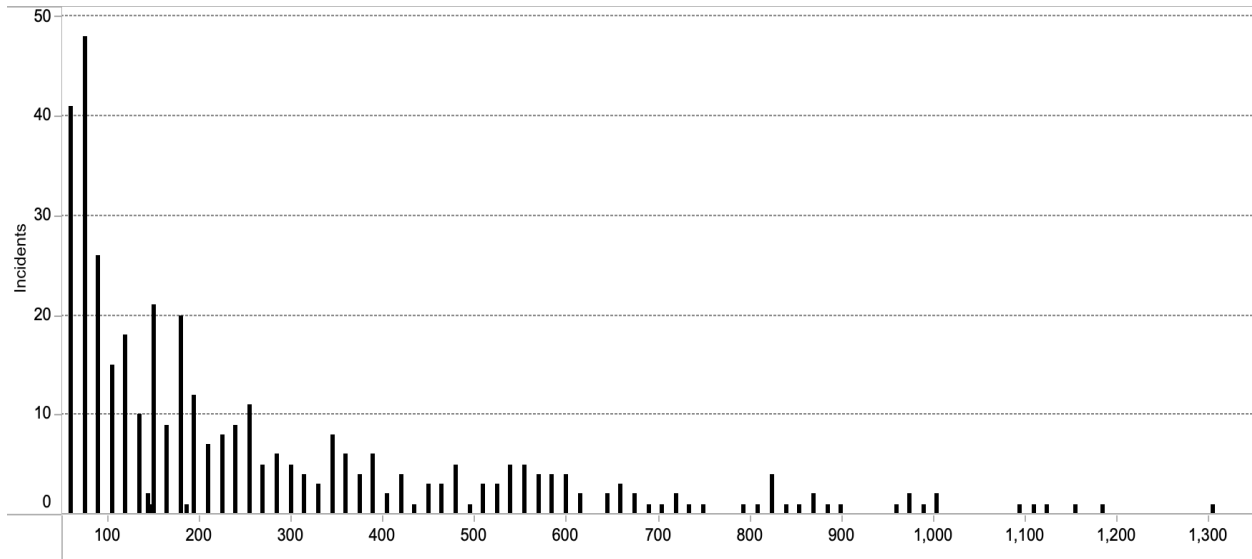
¹⁸ K.C.C. Chapter 2.65.020.

**1.6 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Juveniles Instigating Aggressive Incidents - Victim Type
(n = 415 Incidents)**



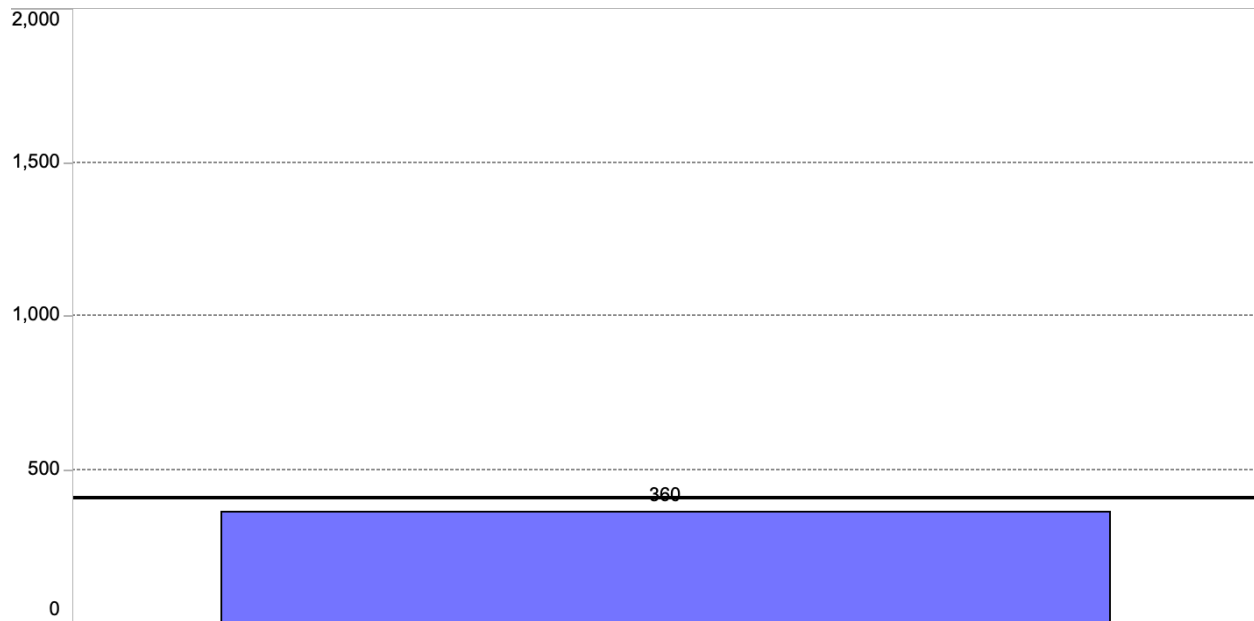
When youth engage in aggressive behavior that cannot be de-escalated and results in restrictive housing, the most likely target is another youth, one of their peers. While the data available does not indicate the target of the aggression in 53 percent of the incidents (i.e., the documentation reviewed did not specifically identify the target), another youth was targeted in 42 percent of the incidents. There has been a great deal of concern among JDOs and others in the Juvenile Division as to the frequency of staff being assaulted by juveniles detained at CCFJC, and Figure 1.6 indicates staff are targeted in about 5 percent of the incidents when youth engage in aggressive behavior leading to restrictive housing, including the 3 percent frequency when staff are targeted alone and 2 percent of incidents when staff and other youth are both targeted.

**1.7 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Range of Time (Minutes) in Restrictive Housing
(n = 415 Incidents)**



As was seen in data included in earlier reports, 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 July 1, 2023 - March 31, 2024, was 360 minutes, as indicated below in Diagram 1.8. The average total minutes in confinement during the previous evaluation period, April 1, 2022 - June 30, 2023, was 444 minutes, representing a decrease by 84 minutes in the average time a youth spent in restrictive housing. Since the data discussed above demonstrated an increase in the frequency of assignment to restrictive housing (from an average of 35 incidents/month to 46 incidents/month), the decrease in average time spent in confinement is encouraging.

**1.8 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Average Time (Minutes) in Restrictive Housing
(n = 415 Incidents)**



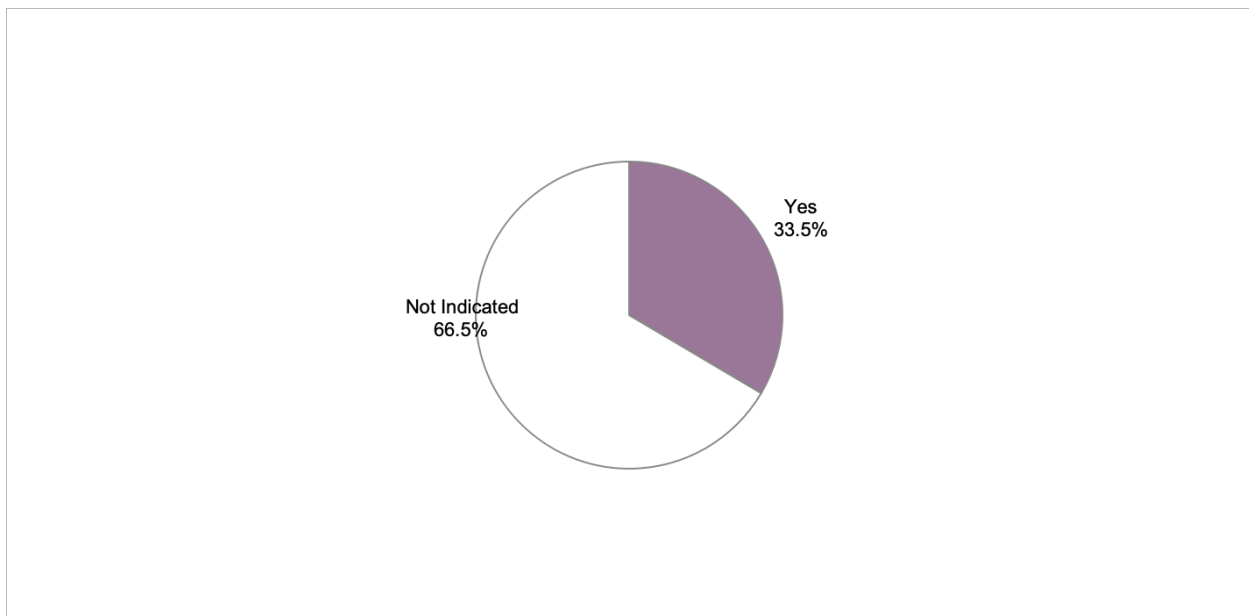
Documentation of medical and mental health assessments of youth in restrictive housing was reviewed, along with input from medical and mental health staff and others, including youth, about the assessment process. Diagrams 1.9 and 1.10 below show a decrease in medical and mental health assessments since the last monitoring evaluation period, which is concerning if it represents a break-down in the assessment process. However, the decrease in documented assessments could be attributed to a number of factors, including the issue of de-prioritizing data entry, as discussed above in the introduction to Section IV.A.. However, because restrictive housing events may be brief and too short in duration to trigger the requirement for medical or mental health assessments, the decrease in frequency of documentation might be explained by an increase in the number of events that do not require the assessments.

It is difficult to draw conclusions about the significance of the decrease at this juncture, though interviews and observations provide confidence that assessments of youth in restrictive housing are occurring with regularity. For example, medical staff are in each living hall at least twice/day in order to distribute medications. They indicated that they often conduct medical assessments of youth in restrictive housing at that point, even if an assessment is not technically due. Whether

these assessments are always documented for the purpose of tracking restrictive housing assessments is not clear.

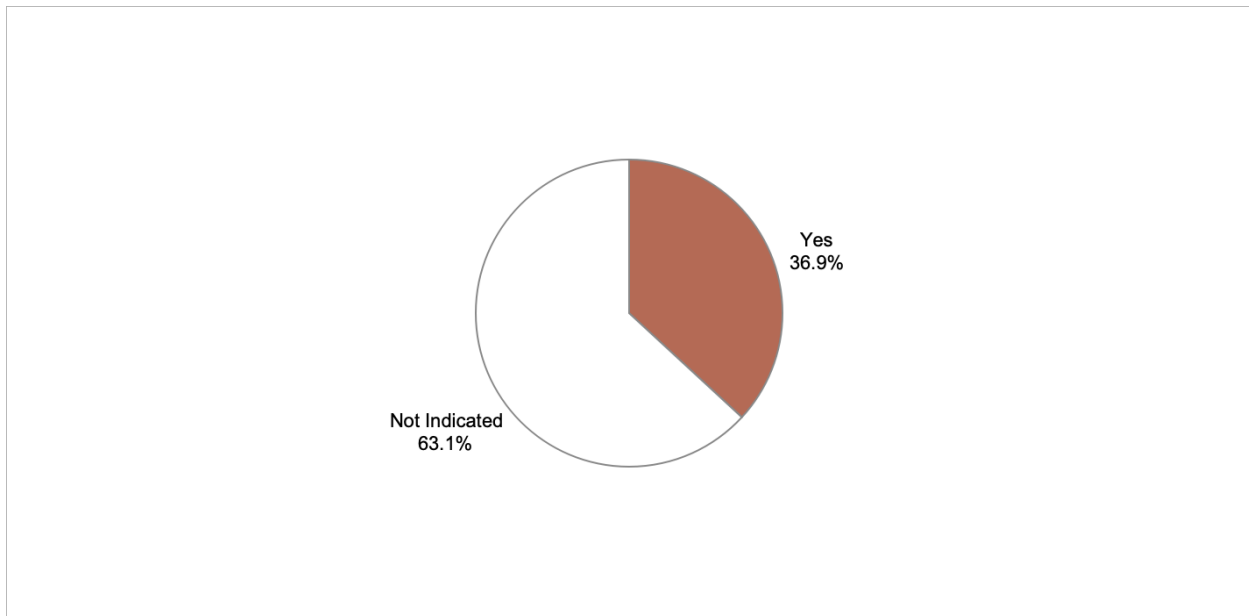
Also, the MDT team meets daily and discusses all youth who are demonstrating unsafe or otherwise troubling behavior, including any in restrictive housing. The Mental Health team conducts an assessment of all youth for this meeting or after being informed that a youth is on restrictive housing. The Mental Health professionals also meet with the supervisors every morning to discuss whether there are any youth on restrictive housing and to make sure that they check in to assess the youth. If there are youth with behavioral health needs requiring attention, an action plan is formulated during MDT or these other meetings. Again, this information might not be documented for restrictive housing tracking purposes.

**1.9 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Medical Assessments
(n = 415 Incidents)**



During the previous monitoring evaluation period, April 2022 - June 2023, there was documentation indicating that medical assessments were performed in 73 percent of the restrictive housing incidents. The decrease in documentation from 73 percent to 34 percent requires further analysis, as discussed above.

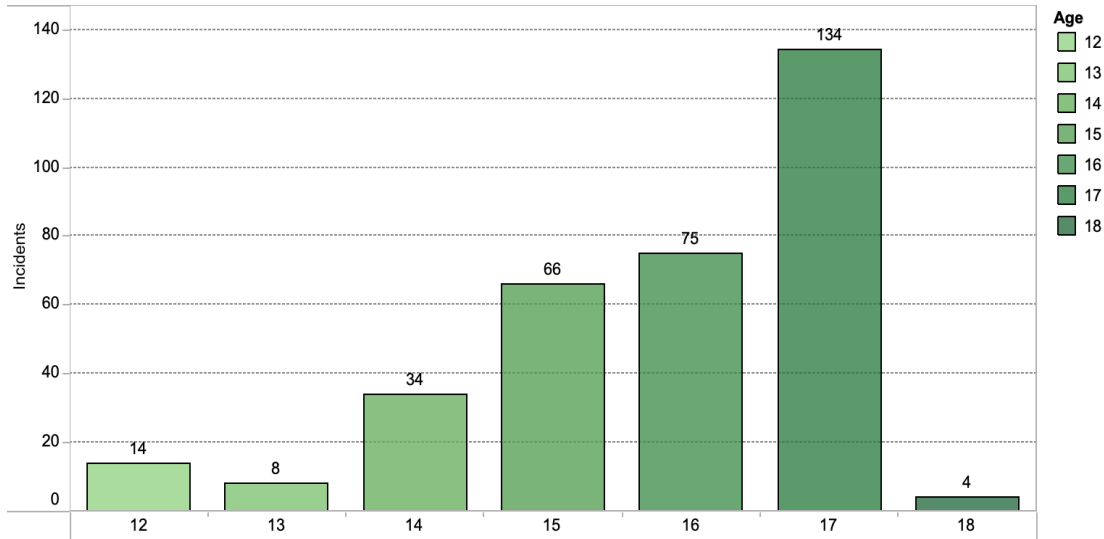
**1.10 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Mental Health Assessments
(n = 415 Incidents)**



As with medical assessments, documentation of mental health assessments has also declined, from 60 percent during the period April 1, 2022 - June 30, 2023, to 37 percent during the period July 1, 2023 - March 31, 2024. While this decrease in documentation is concerning, more analysis with Juvenile Division staff is necessary to understand the significance of the decrease, as noted above. A team was recently convened to begin the work and process to develop an integration between JMS and EPIC, the electronic records system for the medical and mental health teams in the clinic. Unfortunately, it appears the systems will not be able to link documentation for the restrictive housing assessments, and the team will need to explore other ways to address the assessment documentation issue.

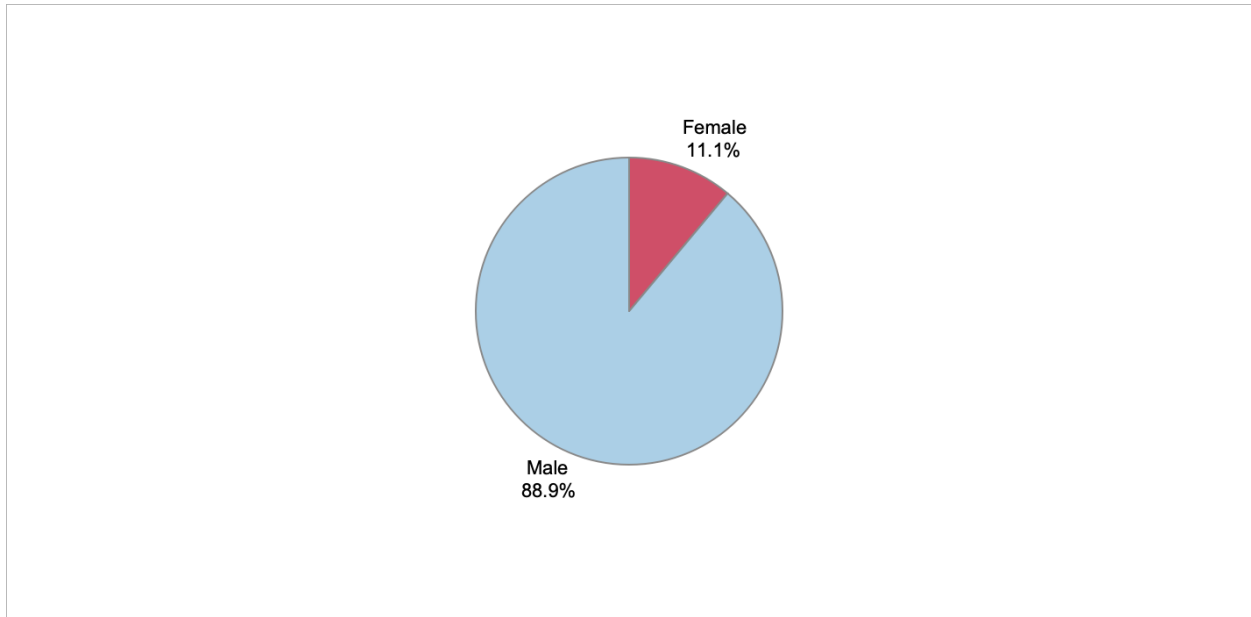
King County's 2023 - 2024 Biennial Budget proviso indicated that the restrictive housing monitoring reports should include information on the age and race of youth involved in restrictive housing incidents (Proviso Requirement B). The following diagrams provide information on the age, gender, and race/ethnicity of youth involved in restrictive housing incidents, along with a comparison of the race/ethnicity of youth booked into CCFJC and the race/ethnicity of youth assigned to restrictive housing during the same time period.

**1.11 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Age of Youth in Restrictive Housing
(n = 415 Incidents)**



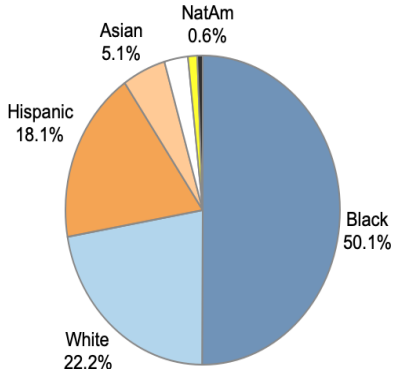
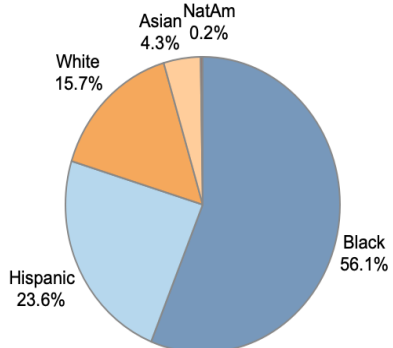
As has been discussed in previous reports, the majority of incidents that lead to restrictive housing involve older youth detained at CCFJC. While 12- and 13-year-olds were involved in 22 restrictive housing incidents, 16- and 17-year-old youth were involved nearly 10 times more frequently. A recommendation was made in the previous monitoring report that living hall assignments should be made based on age, developmental stage, or other factors, to discourage older juveniles from negatively influencing the behavior of younger detainees and to avoid creating situations where threatening or aggressive behavior is directed towards younger youth by older youth. This recommendation is being explored by the Juvenile Division, along with other evidence-based approaches to living hall assignments.

**1.12 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Gender of Youth in Restrictive Housing
(n = 415 Incidents)**



Given that the majority of youth detained at the CCFJC are male, it is not surprising that the majority of restrictive housing incidents involve males. However, when females are detained, some engage in behavior that cannot be de-escalated and requires restrictive housing before the female juvenile can self-regulate and/or problem solve with others involved. The 11 percent figure in the diagram above represents 17 females who engaged in behavior resulting in a total of 46 restrictive housing incidents. The females who were confined averaged 309 minutes in restrictive housing, with 15 of the incidents involving assaults and 26 involving threats of assault.

**1.13 DAJD Juvenile Division
 July 1, 2023 - March 31, 2024
 Race/Ethnicity of Youth in Restrictive Housing
 Compared to Youth Booked Into CCFJC**

<p>Juvenile Division July 1, 2023 - March 31, 2024 Race/ Ethnicity of Juveniles Booked Into CCFJC (n = 645)</p>	 <table border="1"> <thead> <tr> <th>Race/Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Black</td> <td>50.1%</td> </tr> <tr> <td>White</td> <td>22.2%</td> </tr> <tr> <td>Hispanic</td> <td>18.1%</td> </tr> <tr> <td>Asian</td> <td>5.1%</td> </tr> <tr> <td>NatAm</td> <td>0.6%</td> </tr> </tbody> </table>	Race/Ethnicity	Percentage	Black	50.1%	White	22.2%	Hispanic	18.1%	Asian	5.1%	NatAm	0.6%
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<p>Juvenile Division July 1, 2023 - March 31, 2024 Race/ Ethnicity of Youth in Restrictive Housing (n = 415 Incidents)</p>	 <table border="1"> <thead> <tr> <th>Race/Ethnicity</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td>Black</td> <td>56.1%</td> </tr> <tr> <td>Hispanic</td> <td>23.6%</td> </tr> <tr> <td>White</td> <td>15.7%</td> </tr> <tr> <td>Asian</td> <td>4.3%</td> </tr> <tr> <td>NatAm</td> <td>0.2%</td> </tr> </tbody> </table>	Race/Ethnicity	Percentage	Black	56.1%	Hispanic	23.6%	White	15.7%	Asian	4.3%	NatAm	0.2%
Race/Ethnicity	Percentage												
Black	56.1%												
Hispanic	23.6%												
White	15.7%												
Asian	4.3%												
NatAm	0.2%												

There are some differences in the race/ethnicity distribution of juveniles in restrictive housing during the period July 1, 2023 - March 31, 2024, as compared to youth booked into detention during the same period, though statistical significance has not been established. Black youth represent 50 percent of all youth booked into CCFJC during this period, while they represent 56

percent of youth assigned to restrictive housing. Hispanic youth accounted for 24 percent of juveniles who experienced restrictive housing, while they were only 18 percent of the total juvenile population detained during the time. While white youth represented 22 percent of all youth booked into detention, they only accounted for 16 percent of youth placed into restrictive housing. Asian youth were booked at a rate of 5 percent, though only 4 percent experienced restrictive housing. Finally, youth identifying as Native American represented .6 percent of all youth booked at CCFJC and .2 percent of youth assigned to restrictive housing.

B. Adult Divisions: Restrictive Housing Data Tracking of Adult Age-Outs

The number of Adult Age Outs (AAOs) who are housed at the King County Correctional Facility (KCCF) or the Maleng Regional Justice Center (MRJC) remains relatively high, compared to years pre-COVID. For example, in August 2023, there were 11 AAOs, all assigned to KCCF. In March 2024, there were again 11 AAOs, with 10 assigned to KCCF and one at MRJC, and with most being different individuals than the AAOs detained in King County facilities seven months earlier. This continues the trend of DAJD adult facilities housing more than twice as many AAOs as compared to three and four years ago, during the July 2020 - June 2021 reporting period.

Though the number of AAOs has grown and perhaps plateaued, the group still constitutes a very small subset of the overall population of detainees at KCCF and MRJC.¹⁹ This results in different policies, procedures, and tracking of restrictive housing for AAOs as compared to processes found at CCFJC. 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.

Until the evaluation period July 1, 2021 - March 31, 2022, the DAJD Adult Divisions reported relatively few instances of restrictive housing for AAOs during the initial three years the team monitored the issue. For example, one instance of AAO restrictive housing (lasting 3 minutes) was reported for Q3 2020 and two instances were reported during Q1 2021, involving AAOs placed in medical housing as a COVID related precaution for 3 days and 16 hours. Though the two AAOs in medical housing were not technically in restrictive housing, the placement was more restrictive than the general population, so was reported for transparency. Also noted previously, though not necessarily falling under the definition of restrictive housing, were staffing shortages impacting

¹⁹ For example, in March 2024, at the time restrictive housing monitoring interviews of AAOs were conducted, the ADP for secure detention at KCCF was 825. Ten (10) of the total 825 ADP, or 1.25%, were AAOs detained at KCCF in March 2024.

detainees' time out of their cells, such as the severe staffing shortage at KCCF in June 2021 that resulted in all individuals on four floors of the facility (including AAOs) being confined to their cells for approximately four hours.

After experiencing such a low occurrence of restrictive housing, during Q4 2021, the Adult Divisions discovered previously unreported instances of AAOs in restrictive housing that occurred in 2019 and 2021. The previously unreported instances of AAO confinement met the definition of restrictive housing under the Ordinance, i.e., an AAO was isolated "in a locked room or cell alone with minimal or no contact with persons other than guards, facility staff, and attorneys." The monitoring team's report for July 1, 2021 - March 31, 2022, provided an analysis of the incidents.²⁰

As discussed in the monitoring report, these restrictive housing events involved 60 incidents and 29 AAOs. Following discovery of the 2019 and 2021 incidents, the DAJD indicated it was taking the steps necessary to ensure appropriate documentation and tracking of all AAO cell confinement meeting the definition of restrictive housing. During the following monitoring period, April 1, 2022 - June 30, 2023, the Adult Divisions reported no AAO restrictive housing events, and it was assumed that the earlier issues leading had been resolved.

However, during the current restrictive housing evaluation period, a new group of 33 incidents involving 10 AAOs who had been placed into restrictive housing was discovered. Table 2.1 summarizes the limited information available about the most recent batch of previously unreported incidents. Terms used in the list of incidents in Table 2.1 include:

- Cool down - 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."²¹

²⁰ These incidents fell into two subsets of restrictive housing as it is classified in the adult facilities: On-Site Sanctions and Group Max. An "On-Site-Sanction" is defined in the current report in reference to Table 2.1. The term, "Group Max," is similar in concept as split-programing in the Juvenile Division and refers to a process created by the Adult Divisions in 2019 to provide more time-out-of-cell to adult inmates who would otherwise be in their cell for the vast majority of the day. Group Max is intended to provide inmates, including AAOs, with the opportunity to interact with others while outside of their cells and has been viewed as a "step down" option, providing those who had been in more secure housing the opportunity to slowly re-integrate with the general population.

²¹Department of Adult and Juvenile Detention, Adult Divisions, General Policy Manual, 6.03.011, also includes definitions of the following terms, also. "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

- On-site-sanction - An incident when a Corrections Officer observes an inmate committing an infraction, with the officer responding immediately to issue an on-site-sanction. The on-site-sanction usually means returning the inmate to their cell for two to four hours, but not longer than shift change.
- Rack back - Confining an AAO or other inmate to their cell or bunk area.

to the AAO or others," such as threats to staff or others, or physically aggressive behavior, a major destruction of property or facility disturbance.

**2.1 DAJD Adults Division
 July 1, 2023 - March 31, 2024
 Adult Age Outs (AOs)**

Previously Unreported Restrictive Housing Incidents

Inmate ID	Reason	Duration in Minutes
1	Cool down	160
1	2-hr rack back on site sanction	120
1	2-hr rack back on site sanction	120
2	Safety concern	164
2	Loss of dayroom	120
2	2-hr rack back on site sanction	120
3	Restrictive housing location after fight	5,107
3	2-hr rack back on site sanction	120
3	2-hr rack back on site sanction	120
4	Cool down	135
4	Loss of dayroom	120
4	2-hr rack back on site sanction	120
4	2-hr rack back on site sanction	120
4	Cool down	242
5	Cool down	189
5	2-hr rack back on site sanction	120
5	2-hr rack back on site sanction	120
6	Fighting; 5 days of disciplinary segregation ordered	3,515
6	2-hr rack back on site sanction	120
7	Cool down	164
7	Loss of dayroom	120
7	2-hr rack back on site sanction	120
7	2-hr rack back on site sanction	120
8	Cool down	341
8	Cool down	617
8	Cool down	523
8	Cool down	197
8	Loss of dayroom X3	120
8	2-hr rack back on site sanction	120
9	2-hr rack back on site sanction	120
9	2-hr rack back on site sanction	120
9	2-hr rack back on site sanction	120
10	2-hr rack back on site sanction	120

The information available about these previously unreported AAO restrictive housing events is not nearly as detailed as what is generally available for such incidents at CCFJC, though some observations can be made:

- Other than the two restrictive housing incidents involving AAOs who were fighting and one that notes "safety concern," the "reason" listed for restrictive housing placement for the remaining 30 incidents does not provide any detail as to the AAO's precipitating behavior that led to confinement, making it impossible to determine if each incident of restrictive housing assignment was based on the youth's behavior, was necessary to prevent imminent and significant physical harm to the youth or others, and that less restrictive alternatives were unsuccessful. Even the three incidents that referred to fighting or safety concern do not provide sufficient information to assess the appropriateness of the restrictive housing placement.
- One AAO was placed in 5 days of "disciplinary segregation" for fighting, contrary to the express prohibition under the Ordinance and DAJD policy against using restrictive housing for disciplinary or punishment purposes.
- All but one AAO who experienced restrictive housing was confined multiple times, ranging from two to six incidents for each AAO, with five out of the 10 AAOs each placed in restrictive housing three times.
- The two most common "reasons" provided for restrictive housing were "Two Hour Rack back on site sanction" (listed 17 times) and "Cool down" (listed 9 times). Note that these are not explanations as to the behavior of the AAO that resulted in restrictive housing, but instead refer to a behavior response or outcome.
- Most restrictive housing incidents, 21 of the 33 total, were reported as lasting 120 minutes (2 hours). This is in line with the definition of "Cool down," which is exempted under DAJD policy, though not under the Ordinance.
- There were two incidents specifying that AAO fighting led to restrictive housing, with each period of restrictive housing lasting significantly longer than the others - 5,107 minutes and 3,515 minutes. There was a notation regarding the incident that lasted 5,107 minutes that "some [restrictive housing] checks are completed," and a note regarding the incident lasting 3,515 minutes that indicated no restrictive housing checks were completed. Exactly where in the jail facility the AAO was transferred for lockdown housing is not specified.²²

While not a complete list of AAO restrictive housing requirements, the Adult Divisions policy provides:

²² DAJD staff indicated that these AAOs were not transferred to Group Max, the "step down" housing location referred to in footnote xxx and discussed in more detail in the report for July 1, 2021 - March 31, 2022.

- If an AAO is not transferred back to general population (GP) housing following a Cool Down period, the on-duty shift sergeant will perform a Risk Assessment to determine whether the AAO can be placed in Restrictive Housing, and notify the on-duty shift commander.
- The shift commander is responsible for notifying the division major by email anytime an AAO is placed in Restrictive housing.
- A Risk Assessment must subsequently be performed every four hours, except during sleep periods, and documented on the AAO Restrictive Housing Monitoring Checklist (Checklist).
- The Jail Health Services (JHS) will evaluate and assess the AAO to identify potential health needs or possible symptoms of serious mental illness.
- If the AAO is not released from Restrictive Housing within eight hours, the sergeant on duty will notify JHS and request a referral to Jail Health Psychiatric Services (JHPS), to be documented on the Checklist.
- If the AAO is not released within 16 hours, the sergeant on duty will notify Classification and JHS staff for development of a behavior management plan. The unit officer is responsible for documenting the notification on the Checklist.
- If the AAO is not released from Restrictive Housing within 16 hours, the sergeant on duty will notify JHS who will begin to assess the AAO daily and inform the unit officer who will document the notification on the Checklist.
- An AAO will be removed from Restrictive Housing when it is apparent that the AAO no longer presents a Risk of Physical Harm. The shift commander is responsible for the ongoing monitoring of an AAO in Restrictive Housing with appropriate staff and removing the AAO from Restrictive Housing when appropriate. The unit officer is responsible for documenting on the Checklist when an AAO is released from Restrictive Housing.

Adult detention facility staff did not follow these policy requirements for incidents when they intentionally transferred an AAO to restrictive housing (e.g., for fighting) and apparently did not consider that cell confinement lasting longer than two hours, even if classified as a cool down or on-site-sanction, triggered the restrictive housing policy requirements summarized above, also.

The Adult Divisions responded to the discovery of these previously unreported restrictive housing incidents by noting that much like the Juvenile Division, the Adult Divisions have a significant percentage of new staff, who are not as well educated in the specifics of the Ordinance. DAJD supervisors, particularly the Commanders, Majors, and Multi-Disciplinary teams in the Adult Divisions will redouble their efforts to stress the specific requirements under the restrictive housing Ordinance and provide proper oversight and more timely corrective action.

As a result of the incidents uncovered in the reporting period, the Majors have re-issued the Adult Divisions AAO policy to remind all staff what their responsibilities are in regard to the AAOs in custody at KCCF and MRJC. In addition, the Commanders have sent e-mail guidance to Classification and MDT members to remind them of their responsibilities to provide oversight to this process.

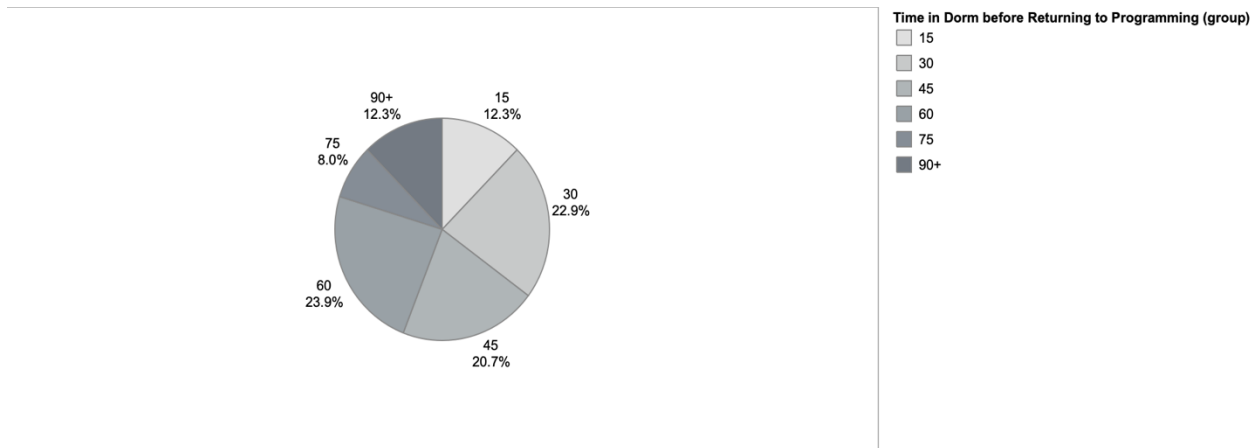
V. ACCESS TO EDUCATION, PROGRAMMING, AND NECESSITIES (PROVISO G)

King County Council's 2023 - 2024 Biennium Budget proviso specifies that the monitoring process include a review of documentation on continued access to education, programming, and ordinary necessities by juveniles assigned to restrictive housing. Along with reviewing documentation, interviews with teachers, a school administrator, JDOs, youth detained at CCFJC, AAOs at the KCCF, the Juvenile and Adult Divisions Program Managers, and others also provided insight on these issues. Access issues in both the Juvenile and Adult Divisions are discussed, with a primary focus on access to education, programming, and necessities by youth assigned to restrictive housing at CCFJC.

A. Access to Education, Programming, and Necessities in the Juvenile Division

To help demonstrate that youth in restrictive housing are not assigned to their rooms continuously, the Juvenile Division provided data on the amount of time a youth is in confinement before participating in programming with their peers on their living hall, even if the youth is not ready to fully reintegrate into the programming schedule and will return to restrictive housing. The data presented below in Diagram 3.1 represents average times youth are initially confined before being allowed to participate in routine activities, including in-class school instruction in some cases. In 35 percent of the incidents, youth are released from restrictive housing and permitted to return to regular programming in 30 minutes or less time. In 80 percent of the incidents, youth are returned to routine activities in 60 minutes or less.

**3.1 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Time Youth are in Restrictive Housing
Before Released for Programming
(n = 415 Incidents)**



1. Access to Education

School instruction for detained youth is provided through the Seattle Public Schools Interagency Academy High School and occurs in a classroom set up in each living hall or through written instruction packets, which are distributed to the youth to complete on their own or during one-on-one programming with staff. Normally, 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 area for a one-hour period in each hall. If a 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 study material covered in class and keep up with homework assignments.

The Youth Accountability Check Sheet is a form used to record youth activities and is the primary way that access to in-class education is documented for all detainees, including those in restrictive housing. The form uses numbers to identify different activities and every 15 minutes, a JDO makes a notation as to the activity each youth is engaged in for that time period, using the following legend:

YOUTH ACCOUNTABILITY CHECK SHEET
(Youth Activity Recorded Every 15 Minutes)

1 - Rest Period	9 - Transport
2 - Unit Dayroom or Courtyard	10 - Pass
3 - Gym	11 - Spiritual Center
4 - School	14 - Rec. Dept.
5 - Library	15 - ARV
6 - Multipurpose Room	17 - 1 on 1 Programming w/ DAJD Staff
7 - Court	V - Voluntarily in Dorm
8 - Health Clinic	RH - Restrictive Housing

Brief comments are added to the back of the form when a single youth's or an entire unit's activities would benefit from more explanation, such as noting why a youth is assigned to restrictive housing or to record that all youth are in their rooms at particular times for staff breaks.

Due to the need to open more living halls to accommodate the higher average daily population (ADP) at CCFJC, there often are more halls than subjects taught or teachers available. Thus, one or more halls might not receive the full five hours of instruction on any given day (or three on Wednesday). The Youth Accountability Check Sheets do not necessarily account for reasons why youth, whether or not on restrictive housing, might not have in-classroom school sessions on a particular day. Thus, if most youth in the living hall are recorded as "1" (on a rest period) during hours when school otherwise would be expected to be scheduled, this might be due to a staff shortage (e.g., not enough staff to ensure a safe classroom environment and also manage youth from that hall who are not in class for any reason) or could result when there are more halls than teachers and one of the two JDOs assigned to the hall is escorting a youth to the health clinic or court and the second JDO cannot manage the remaining youth outside their rooms). There may or may not be an explanation on the back of the Youth Accountability Check Sheet. Regardless of the reason why in-class instruction did not occur, the youth typically received individual instruction packets. However, in January 2024, the teachers stopped providing written instruction packets when there are more living halls than teachers available to meet with each hall. Thus, none of the youth on the halls that do not meet in class due to the shortage of teachers will receive packets, including any youth on restrictive housing. If a class does not meet due to a shortage of JDOs, the teachers continue to provide written instruction packets to those youth, including any on restrictive housing, who otherwise would have met in the classroom setting.

For youth on restrictive housing who are split programming and cannot be out of their rooms at the same time as another youth with whom they had a conflict that resulted in restrictive housing, each of the two youth will only receive half of the normal 5 hours/day in-classroom school instruction. When more than two youth have a conflict, split programming results in even fewer hours/day for in-class learning. When there are staff shortages that result in modified programming, with all youth spending extra time in their rooms, youth on restrictive housing can miss out on class instruction through both split programming and modified programming during a single day.

TWO YOUTH ON RESTRICTIVE HOUSING: SPLIT PROGRAMMING AND MODIFIED PROGRAMMING IMPACTS ON ACCESS TO EDUCATION

One example from the monitoring process review of documentation involves two youth, Youth A and Youth B, who were assigned to Seattle Hall and on restrictive housing beginning 1/28/24, for physically fighting with each other. Youth A's restrictive housing ended on 1/31/2024 and he accumulated a total of 315 minutes of room confinement time, while Youth B accumulated a total of 555 minutes in restrictive housing, which ended 2/1/24.²³ By using split programming, neither youth was in restrictive housing continuously, as one could be in his room while the other engaged in programming or classroom time, and then switch off.

The Youth Accountability Check Sheet for the Seattle hall during the day shift hours on Tuesday, 1/9/24, shows that Youth B is recorded in "RH" (restrictive housing) while everyone else, including Youth A, is in class for one hour in the morning. Through split programming, Youth B normally would attend a later class, while Youth A was in restrictive housing. However, no other in-class instruction was provided for any of the youth in that hall on that particular day.

All youth in Seattle hall were recorded as "1" (rest period) for about two hours in the afternoon, when some or all of them normally would be in class or otherwise programming, at least part of this time. There could have been a staff shortage resulting in modified programming during the afternoon and/or, because there are fewer teachers than the total number of living halls, classroom instruction might not have been available for Seattle hall that afternoon. As confirmed with one of the teachers, all of the youth received written work packets as a substitute for in-class instruction, which presumably included Youth B who did not have morning class, though this aspect of education access is not tracked on the Youth Accountability Check Sheet.

As noted above, youth who are in restrictive housing and cannot attend class are provided with an individual instructional packet, as are youth who do not receive classroom instruction for other reasons, such as JDO staff shortages. However, this has an impact on the teachers who must prepare the packets and review completed work. Whether a single youth is in restrictive housing or multiple youth are in restrictive housing and split programming, teachers do not know if they

²³ Restrictive Housing Assessment Checklist forms were completed for both Youth A and Youth B. The checklist closely tracks when restrictive housing starts and ends and documents all required assessments. Because of the length of time involved, these youth were assessed multiple times by multiple people, including the JDO Supervisor, a Registered Nurse, the Chief of Operations, and a Mental Health Professional. As required by policy, calls also were made to the youths' parents to inform them about the situation.

should prepare a packet for one day or multiple days, since often no one is able to determine when a youth will be regulated and ready to come out of restrictive housing status. For these reasons and to reduce the teachers' workload to some extent, they discontinued the practice of preparing packets for all youth on a living hall when there is no class because there are more living halls than teachers.

The teachers themselves pointed out that with the increasing number of youth at the CCFJC, class sizes are larger and that can add to tension between the youth and lead to conflict, which in turn can require restrictive housing. One teacher noted that larger class sizes also have meant they have had to limit some of the classroom demonstrations that were considered to be potentially unsafe in a more crowded environment.

From their perspective, the teachers believe there is a lack of consistency as to what behavior will result in restrictive housing and note that different JDOs use different approaches to identifying what is considered to be potentially problematic behavior and in approaches to de-escalating aggressive behavior. They believe that more consistency among JDOs would create clearer expectations among the youth, and lead to fewer incidents of behavior that results in restrictive housing. The teachers' viewpoint was echoed in the Safety and Security Analysis, where the consultant found that daily operations at CCFJC lack sufficient order and structure.²⁴ A Juvenile Division JDO Supervisor was quoted, in part, as saying, "There needs to be more consistency and expectations," while another Supervisor commented, "Kids need to know you are firm, fair, and consistent. Then the kids feel safer."²⁵ Youth who were interviewed by the consultants who produced the Safety and Security Report also raised the issue of inconsistency in how JDOs respond to negative behavior:

Some youths commented that rule enforcement changes based on the staff member. The majority felt that rules were enforced inconsistently with contrasting expectations depending on the shift and the staff.²⁶

This sentiment was echoed during interviews of youth by the monitoring team. Though its impacts are troubling, the lack of consistency is not surprising, given the high turnover of staff and the high number of JDOs with less than a year's experience and training. The lack of consistency with regards to how behavior that triggers restrictive housing is documented has

²⁴ Safety and Security Analysis, 11.

²⁵ Ibid.

²⁶ Ibid.

been raised in earlier monitoring reports and the issue of inconsistent documentation persists, contributing to difficulty in capturing the scope of behavior response inconsistency.

The teachers also expressed dismay at the number of detained youth who appear to be very low functioning, have serious trauma and mental health issues, and/or who have not attended school since the school system shut down due to the pandemic. While the teachers express commitment to working with all of the detained juveniles, they questioned whether much learning is possible for some without other interventions. They emphasized the need to address the significant trauma and attendant mental health problems experienced by many of the youth, indicating that these issues often underlie behavior that results in restrictive housing and/or interferes with learning and academic progress.²⁷ While noting that different diagnostic terminology might be used, the teachers estimated that up to two-thirds of the detained youth suffer from an emotional behavior disability or emotional disturbance, a condition that can be characterized by an inability to learn that cannot be explained by intellectual, sensory, or health factors, and that adversely affects educational performance.²⁸ Ultimately, many of the youth require special education attention and the teachers often set up individualized academic goals and lesson plans.

The King County Auditor's Office recently completed a review of detention conditions at the CCFJC and issued the report, "Juvenile Detention: Many Youth Face Long Stays in Facility Designed for Short-Term Support," dated April 24, 2024. (Auditor's Report). The Auditor's Report discusses how lengthy stays in detention, a larger juvenile population detained at CCFJC, and staffing shortages impact whether a youth is adequately assessed, tracked, and prepared for high school graduation. It is not clear through the monitoring process whether youth assigned to restrictive housing experience any significant and unique issues related to education, beyond those the Auditor's Report addresses for the general juvenile detainee population. Similarly, the teachers' observations about youths' readiness for learning applied to a significant portion of the detainee population. However, it could be useful to consider research questions and the data that would need to be gathered to conduct an in-depth study of these issues regarding youth who are repeatedly assigned to restrictive housing.

The monitoring team agrees with the consultants' finding in the Safety and Security Analysis that the team of teachers working with detained juveniles is "dedicated to the youths and their

²⁷ The teachers are particularly hopeful that the addition of the Intervention Specialist who is a practicing mental health clinician, will help some juveniles address mental health challenges associated with gang experiences and/or life experiences that contribute to gang affiliation and assaultive behavior.

²⁸ <https://debh.exceptionalchildren.org/behavior-disorders-definitions-characteristics-related-information>

educational progress."²⁹ Given their daily visits to CCFJC, these teachers are in a unique position to observe staff/youth interactions and to make observations about detained youth.

2. Access to Programming

Strong programming in juvenile detention facilities is an important consideration in any strategy to reduce the need for using restrictive housing. Robust programming serves as an alternative to restrictive housing as it can "reduce idleness that may lead to conflict between youths by increasing access to groups, recreation, and other activities."³⁰ The report prepared following an evaluation conducted by Development Services Group, Inc., "Juvenile Detention Safety and Security Analysis," (Safety and Security Analysis) noted the lack of programming at CCFJC and how it can contribute to negative behaviors that result in restrictive housing, and found that programming must be made a priority for juveniles at the CCFJC.³¹ Despite the significant role programming can play in reducing conflict and the subsequent use of restrictive housing, the Juvenile Division did not have a separate programming budget until recently.

Previously, DAJD heavily relied on Juvenile Division staff and volunteers to provide programs to detained youth. Using this approach was more manageable pre-pandemic when the average daily population (ADP) for CCFJC was lower. For example, in 2020, the ADP for juveniles in secure detention at CCFJC was 27, though by 2023, increased to 43. This trend continued into Q1 of 2024, when the ADP rose to 47. The number of juveniles at CCFJC who fell under Adult Court jurisdiction (i.e., were charged with violent crimes) also grew during this time, from an average of 6 juveniles in 2020 to an average of 13 in Q1 2024. Further, because of health concerns, the Juvenile Division restricted access to the juvenile facility during the pandemic and, thus, could not rely on volunteers to assist with programming for a period of time. Once DAJD facilities were able to open, many of the volunteers who had been previously involved were no longer available for programming support or did not want to obtain the required COVID-19 vaccine. Providing regular programming to an increasingly larger number of juveniles became more complicated from a

²⁹ Safety and Security Analysis, 9.

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.

³¹ Safety and Security Analysis, 22.

scheduling perspective and required more staff and/or volunteer resources, especially at a time when DAJD was experiencing worsening JDO shortages and community volunteers were scarcer.

As post-pandemic programming challenges became apparent, DAJD adopted a more strategic approach and the 2023 - 2024 Biennium Budget included funds to revitalize programming at CCFJC, including support for a one-year contract for a Community Services Coordinator position. The Community Services Coordinator was hired in September 2023, and during the current restrictive housing monitoring period worked to identify a variety of programs potentially appealing to different kinds of interests, facilitated the development of contracts with service providers, coordinated the completion of required background checks with the Volunteer Coordinator, and addressed scheduling, space, and other programming operational needs at CCFJC.

Additional changes in personnel within the Juvenile Division's Program Team includes a one-year contract for an Intervention Specialist and hiring a Corrections Supervisor into the Volunteer Coordinator role after the retirement of the previous long-time employee. The Intervention Specialist, employed since December 2023, conducts one-on-one sessions with youths identified as significantly affected by violence, whose involvement in gangs influences their behavior while under DAJD's supervision. Staff feedback indicates that youths engaging with the Intervention Specialist are demonstrating progress in acquiring and applying new skills. The Volunteer Coordinator's extensive background within the Juvenile Division equips her with a nuanced perspective essential for enhancing systems, processes, and communication pertaining to programming within the secure environment.

Numerous programs have been in operation since at least the last monitoring evaluation period (April 2022 - June 2023) and were mentioned in the previous report, including programs such as Movie Club, Know Your Rights Clinics, Pickleball, Sweat, Pain, and Gain, Upower, Project Canine, and Pongo Poetry. New programs that have rolled out or will soon include Progress Pushers, Co-Creative Culture, ProSe Potential, Yoga Behind Bars, Seattle Children's Theatre, Your Money Matters, The Silent Task Force, and Fresh Start. The continuing and new programs combined appear to provide detained youth with numerous and diverse options for staying busy and stimulated, one of a range of goals associated with enhanced programming.³² The Division also prioritized bringing on new programs whose providers have availability on weekends and is hopeful this will impact the increase in restrictive housing Friday through Sunday as discussed previously.

³² Safety and Security Analysis, 25.

Beginning in March 2024, youth at CCFJC were provided individual tablets with telephone capability, specialized content such as select reading material, and games. The Juvenile Division is exploring the opportunity to include the available premium media content as a component of the behavior management system rather than requiring youths' families to pay for the additional services. These subscription services are not currently available to youth in the Juvenile Division. Youth have access to the tablets anytime, except during school and regular sleeping periods. DAJD is exploring use of the tablets for academic assignments, which would simplify the work teachers must go through to create instructional packets when youth do not attend class, including times when youth are in restrictive housing and split programming. Regardless of how they might be used for school, the tablets provide youth with an alternative way to spend time while detained and a means to have more regular contact with their families, both of which might help reduce conflict between youth and the need for restrictive housing.

Youth are not supposed to have the tablets in their rooms if assigned to restrictive housing. However, if they have a tablet at the time they are sent to restrictive housing, or refuse to return a tablet during school or regular sleeping periods, it will not be taken away by force. Because this leaves JDOs with little recourse in enforcing rules related to the tablets, it is recommended that DAJD consider alternative strategies in these situations. Whether or not a youth is in restrictive housing, if the tablet presents a risk for self-harm for a youth or is being used to create or escalate a safety and security hazard (e.g., using a tablet to cover the window through which JDOs conduct their regular checks on youth), the tablet will be removed, with use of force as a last resort.

One issue that came up during the monitoring review interviews with JDOs involved youth programming during the swing shift, which includes the timeframe after classes until bedtime. Because most programs are not mandatory, some only attract two or three youth, leaving the rest in unstructured activities that too often result in conflict. There was a suggestion that all or most programs be made mandatory, as a means to address this issue. The monitoring team later learned that the Juvenile Division is in the process of revising the applicable policy; for programs outside the living hall, all youth from that hall will be required to attend the program, though do not have to participate. The Division is still discussing how to address voluntary participation for programs held inside the living hall.

The Community Services Coordinator is developing a system to collect feedback from program providers and youth about specific programs, which will be very useful in determining interest levels and programming high points and challenges, information to be used when considering providers' contract renewal. As the variety and number of programs available to youth at CCFJC

becomes fully operationalized, it will be instructive to measure whether conflict and other disruptive behavior, and the often resulting restrictive housing, decreases.

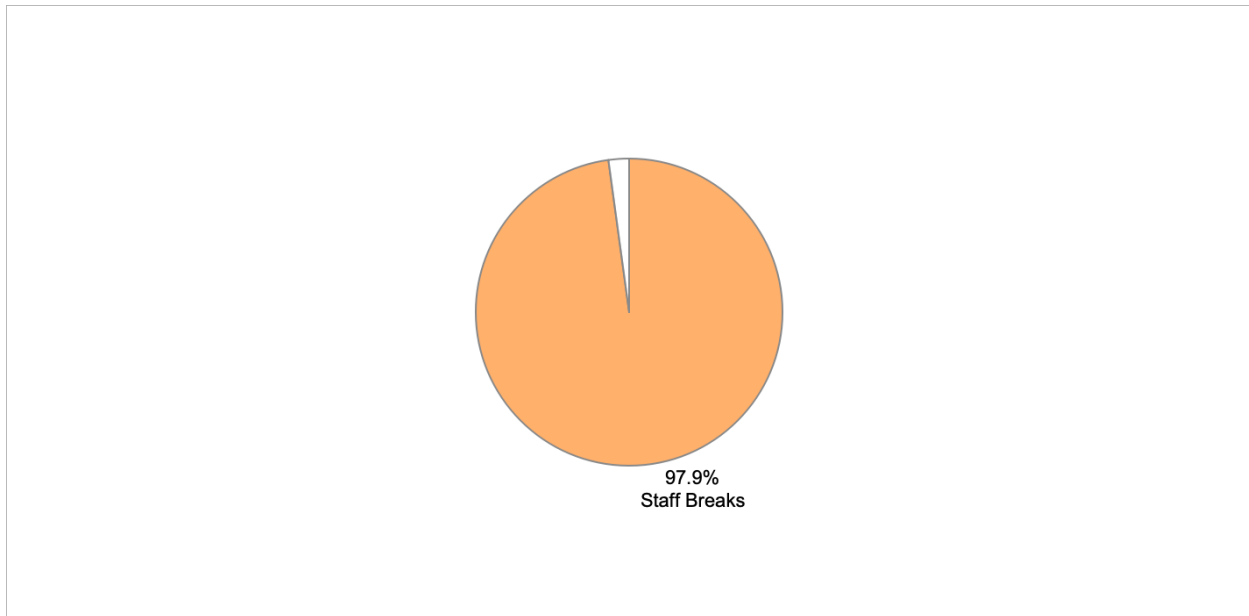
As for access to programming by youth in restrictive housing, split programming and modified programming have impacts similar to those discussed above regarding access to education. If all youth in a living hall are on modified programming due to staff shortages, none of them will have access to programming, including any in restrictive housing. Juvenile Division staff noted that the Intervention Specialist is trained in managing conflict and can help ensure that programming takes place, though can only work on one living hall at a time, while more than one hall is often impacted by modified programming. More information is provided below regarding modified programming data.

If modified programming is not a factor and more than one youth is in restrictive housing, the juveniles involved will participate in split programming, taking turns being out of their room to engage in programming. The youth might take turns having unstructured time in the dayroom or courtyard or might participate in scheduled programming, such as having time in the gym. The JDOs attempt to balance activities for youth who are split programming, but that can be difficult at times, particularly if more than two youth are in restrictive housing.

3. Modified Programming

"Modified programming" refers to time that juveniles are confined to their rooms when they otherwise would be engaged in regular programming, to include attending school in a classroom in their living hall. In prior years, modified programming has included time in room due to staff shortages, teacher shortages, COVID-quarantine, and other reasons unrelated to youths' behavior. Restrictive housing is a behavior response necessary to prevent imminent and significant physical harm and usually involves a single youth threatening or engaging in aggressive behavior, or two youths or a small group fighting with each other or threatening or assaulting other detainees or staff. In contrast, modified programming involves non-behavior related conditions and can impact an entire hall or the entire juvenile facility, with impacted juveniles spending unscheduled time in their rooms. As discussed further below, most modified programming is attributable to staff breaks.

**3.2 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Modified Programming
Staff Breaks
(n = 653 Incidents)**

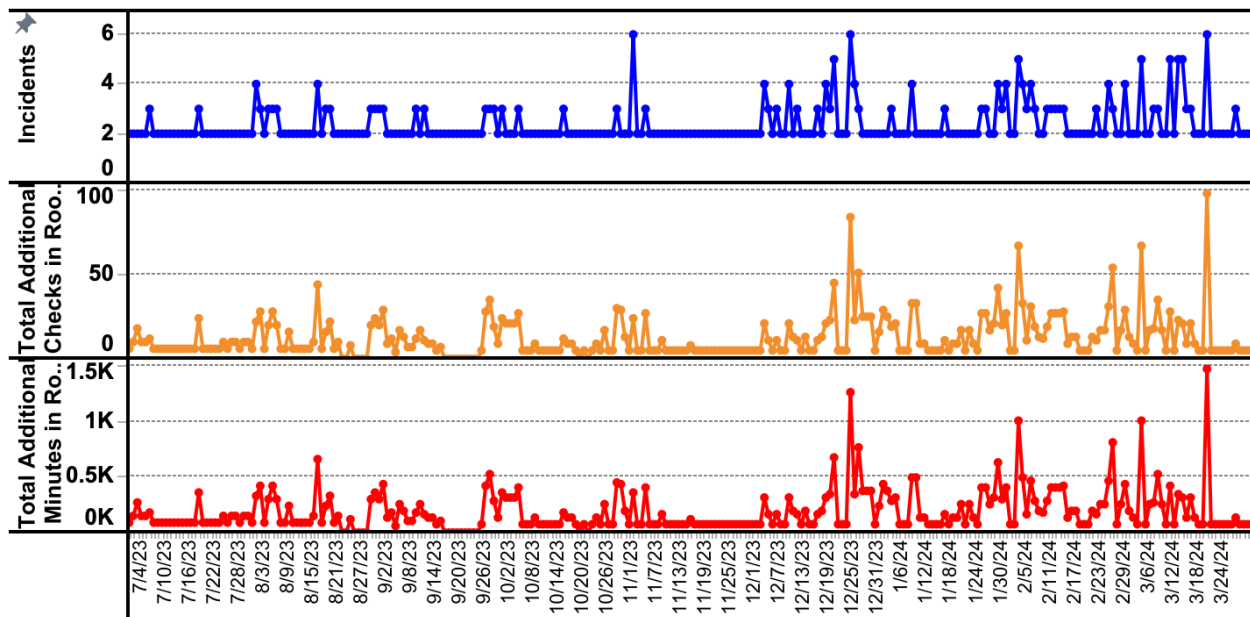


As seen in Diagram 3.2, 98 percent of modified programming is attributable to staff breaks. JDOs and other staff receive two 15-minute breaks, and one 30-minute break during their eight-hour shift. If JDO breaks cannot be staggered due to a staff shortage, all detained youth return to their rooms while all of the JDOs assigned to the living halls take their break. Rovers take care of the 15-minute room checks and documentation required on the Youth Accountability Checklist forms. At the end of the 15- or 30-minute break, JDOs return to the living halls and youth are able to return to regular programming or classes outside of their rooms. Thus, the amount of time an individual youth is in their room for modified programming on an average day is often limited, whether it is for one staff break or all three breaks throughout the day, though when considered across all living halls for all detainees, the number of incidents and time can quickly add up.

In 69 percent of the incidents, all seven living halls were impacted by modified programming, while in 11 percent of the incidents, only one hall experienced modified programming. In the remaining 20 percent of incidents, there was a range of two to six halls impacted or the number of halls involved was not indicated in the data.

Fifty-one percent (51 percent) of modified programming incidents occurred during first shift, while 46 percent happened during second shift (with no indication as to the shift involved for the remaining 3 percent).

3.3 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Modified Programming
Number of Incidents, Additional Room Checks, & Additional Time in Room
(n = 653 Incidents)



In the diagram above, an "incident" represents one instance of modified programming that impacted youth on one or more halls. For example, on March 20, 2024, there were six incidents, five involving one hall each and one involving all seven living halls. For the first six months of 2023, during part of the last restrictive housing evaluation period, the Juvenile Division recorded 313 incidents of modified programming, for an average of 52 incidents/month. Staff breaks accounted for 301 of the total 313 incidents.³³ During the current evaluation period, which covers the nine month timeframe from July 1, 2023 - March 31, 2024, there were 653 incidents of modified

³³The data from the first six months of 2023 was incomplete, but provided a paradigm for DAJD to begin considering the impact of non-behavior related factors impacting youths' time in and out of their rooms.

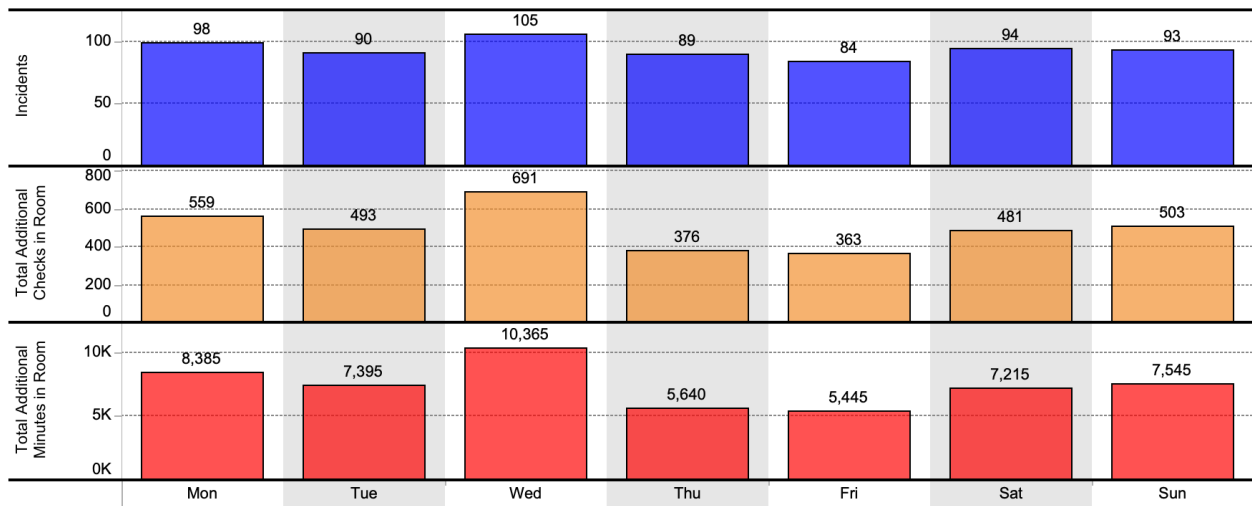
programming, for an average of 73 incidents/month.³⁴ Similar to the data reviewed for the first six months of 2023, when approximately 96 percent of modified programming was related to staff shortages and staff breaks, 98 percent of the current modified programming incidents were due to staff breaks that could not be staggered because of staff shortages.

The Juvenile Division tracks activities for all youth every 15 minutes, except during regular sleep periods when they are checked on every 30 minutes, using the Youth Accountability Checklist form previously mentioned. If youth are in their rooms for modified programming, extra room checks are required to ensure the safety of each individual detainee, as opposed to recording that all youth are in class, visiting the library, or engaged in other group programming. As indicated in Diagram 3.3, modified programming resulted in an additional 3,466 room checks for all individual juveniles across all of the CCFJC living halls being used at the time. While JDOs are on staff breaks, these additional room checks are handled by JDOs designated as "rovers" or other staff available for back-up duty, who take their breaks at a different time without impacting the youth.

The total number of extra minutes in room confinement for modified programming July 1, 2023 - March 31, 2024, was 51,990, or 867 hours, for all youth across all living halls. The ADP during this time was 46 juveniles in secured detention, which is higher than it has been at other points in time and can impact the total number of minutes of modified programming. Of course, there was no modified programming required some days and other days when youth were confined to their rooms for longer periods. For example, there was some level of modified programming every day during the month of November 2023, but nine days in a row without any modified programming from September 16 - 24, 2023. Furthermore, modified programming time, even if limited, can result in room confinement time that is in addition to other time youth spend in their rooms on any given day, such as for restrictive housing or due to a facility safety issue, such as when a code is called.

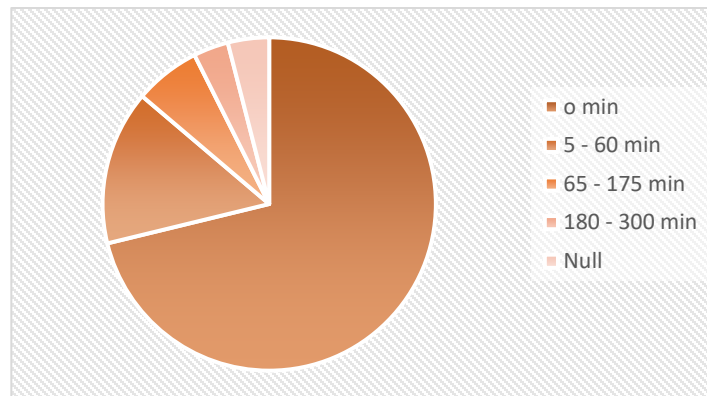
³⁴ Because the data from the first six months of 2023 was incomplete, it is difficult to draw definitive conclusions about the higher number of modified programming incidents this evaluation period as compared to the first half of 2023, though staff generally agree that the level of modified programming has increased over time.

**3.4 DAJD Juvenile Division
 July 1, 2023 - March 31, 2024
 Modified Programming
 Incidents, Additional Room Checks, & Additional Time in Room
 by Day of Week
 (n = 653 Incidents)**



In Section IV.A, data is presented indicating that behavioral incidents resulting in restrictive housing occurred most frequently on Fridays and Saturdays. In comparison, the highest number of modified programming incidents occurred on Wednesdays, with the highest number of daily room checks and total minutes in confinement recorded for Wednesdays, also. Some DAJD staff thought factors that might account for this include court operations and JDO bidding for shift and furlough days.

**3.5 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Modified Programming
Class Minutes Impacted Overall
(n = 653 Incidents)**



In 71 percent of the total incidents of modified programming, in-class school time was not affected at all. Between 5 and 60 minutes of class time was impacted in 15 percent of the modified programming incidents. For example, the Juvenile Division attempts to limit modified programming by taking advantage of the time needed for teachers to move between living halls throughout the school day. Teachers have 10 minutes between classes to move from one living hall to the next hall. Youth are sometimes returned to their rooms during these 10 minutes, while JDOs take one of their breaks. In such situations, an additional five minutes also is cut from the earlier class and from the upcoming class, allowing for up to 20 minutes of modified programming with JDOs taking a break, teachers changing living halls, and youth confined to their rooms. This scenario would likely fall into the 15 percent of incidents when 5-60 minutes of class time is impacted.

In 6.4 percent of the incidents, 65 - 165 minutes of class time was impacted, while in 3.4 percent of modified programming, 180 - 300 minutes of class time was affected. As DAJD continues to refine and analyze the data collected on modified programming, it will be important to consider whether there are ways to further limit the amount of time classroom minutes are impacted.

4. Access to Necessities, Such as Reading Material

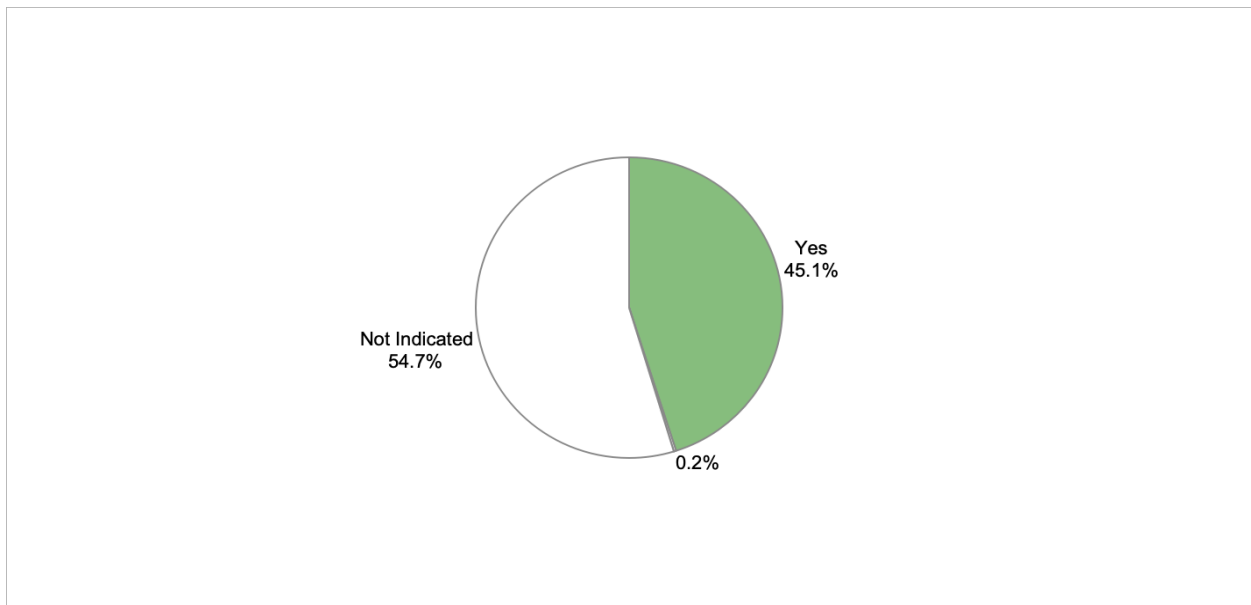
The King County Library System has a library branch at the CCFJC. However, there has not been a librarian regularly staffing the facility's library since approximately November 2023. Thus, while detained youth still make scheduled visits to the library, the space has been in disarray, with no personnel responsible for reshelving books or otherwise keeping the space organized. It also means that the youth have not had support services from a librarian if they needed assistance with a research project or in locating a particular book.

During Q1 2024, a new King County Library System resource person, the Youth and Family Services Manager, began working at CCFJC. The individual currently works at the facility every Saturday, providing youth with the opportunity to participate in a book exchange. The Youth and Family Services Manager is conferring weekly with the Juvenile Division Program Manager to further define their role and duties in supporting library services at CCFJC, working very intentionally to develop a position description that best serves the detained youth and attracts personnel especially suited for working with the youth population at the facility. The Youth and Family Services Manager expressed his hope for the detainees, by indicating words to the effect, "I want to do what I can to encourage reading and a love of books."

Youth who were interviewed indicated that they generally have access to reading material, even if in restrictive housing. Youth obtain books through the facility library, the SPS Language Arts Teacher, and read books other youth have finished and made available to others. However, they stated that their visits to the library are not regular and that detainees sometimes have to choose between the library or another programming activity, with older youth in the living hall pressuring for the alternative. Youth will now have extensive reading material available to them on their tablets, which should mitigate against any problem with having regular library visits.

Access to reading materials is one of a number of factors that JDO 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 while restrictive housing continues. After each meeting with the youth to determine the need for on-going restrictive housing, the supervisor completes an electronic form that asks for information required by the Ordinance and Juvenile Division policy regarding assessments and includes a question as to whether the youth had access to reading materials. Diagram 3.2 below represents how often JDO Supervisors documented access to reading materials by youth in restrictive housing during the current evaluation period.

**3.6 DAJD Juvenile Division
July 1, 2023 - March 31, 2024
Youth in Restrictive Housing
Access to Reading Material
(n = 415 Incidents)**



Corrections Supervisors in the Juvenile Division documented whether youth had access to reading materials in less than half of the restrictive housing incidents, or 45 percent of the time. This is a significant decrease from the last evaluation period, when documentation by supervisors indicated that access to reading was checked 75 percent of the time.

The failure to document access to reading materials in 55 percent of the restrictive housing events during the period July 1, 2023 - March 31, 2024, might appear to indicate that supervisors are not prioritizing the documentation function given the sometimes conflicting demands on their time, including evaluating (and documenting) the need for restrictive housing, often for multiple youth in confinement at the same time, training and mentoring new JDOs, assisting with programming, working with the Juvenile Division leadership team on strategic initiatives, and the like. JMS, the

information management system, has a drop down box to check "yes" or "no" as to the youth having access to reading material, and is to be completed whenever the supervisor documents a required check of youth in restrictive housing. However, because supervisory review of on-going restrictive housing for individual or multiple youth occurs frequently throughout the day, some JDO Supervisors might not repeatedly check or document access to reading materials, having already determined several times earlier in the day that the youth has reading materials.³⁵ While both the Ordinance and RCW 13.22 mandate that reading materials be available to youth in restrictive housing, there is no requirement that access be checked multiple times. Consideration should be given to clarifying how frequently JDO Supervisors are expected to document the availability of reading material and whether JMS can be changed to simplify the process, while remaining in compliance with the Ordinance and RCW 13.22 and continuing to stress the importance of ensuring all youth have access to basic necessities, including youth in restrictive housing and including reading materials. Given that most youth and staff indicate all youth have regular access to reading material, even if in restrictive housing, this relatively simple change could reduce what is likely an artificially low frequency of documenting access to reading materials and contribute to a sense of legitimacy among supervisors in the overall restrictive housing assessment system. Finally, any such steps that can be taken to reduce supervisors' administrative responsibilities frees up time for them to "spend most of their time coaching and supervising staff," which is an important strategy for keeping youth and staff safe.³⁶

The Restrictive Housing Checklist form that is used to document and track the reason for and time in restrictive housing, all assessments, and whether youth have access to reading material, does not track access to other necessities required Ordinance and RCW 13.22. Governing law and DAJD policy require that youth in restrictive housing have access to other basics, such as clothing, a mattress and bedding, medication, toilet and sink at least hourly, any necessary mental health services, and reading and writing material. While not specifically tracked for those 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.

³⁵ Supervisors and others complete their portion of the Restrictive Housing Assessment Checklist online, through JMS, throughout their workday for each youth on restrictive housing, with pdf versions of all checklists provided for the monitoring review. Numerous examples were noted where supervisors marked "yes" in response to the query concerning access to reading materials in documenting some of their assessments and not indicating any answer at other times, while still providing information describing the youth's unregulated behavior and/or the goals to be met prior to restrictive housing ending.

³⁶ Safety and Security Analysis, 21-22.

Access to medication and mental health services is tracked through the Restrictive Housing Checklist form. See discussion above in Section IV.A regarding access to and documentation of medical and mental health services.

B. Access to Education, Programming and Necessities in the Adult Divisions
by Adult Age Outs (AAOs)

Adult Age Outs (AAOs) constitute a relatively small group in the overall population of detainees in King County adult detention facilities,³⁷ 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 CCFJC. However, the Adult Divisions Program Manager, other staff, and AAOs who were interviewed provided an update on education and programming options in adult facilities that are available.

Programming staff and a Sergeant assigned to serve in a supportive role to AAOs provides information about educational opportunities.³⁸ As with youth detained at CCFJC, the Interagency Academy High School delivers educational services to AAOs detained at the King County Correction Facility (KCCF). "Students enrolled in the program work on their own personalized education plan, which is tailored to meet their individual educational goals."³⁹ 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.

All ten AAOs interviewed during this evaluation period indicated they had completed or were close to completing the work required for their high school diploma or GED, or were working with teachers to determine how many more credits were needed before finishing. When restrictive housing monitoring interviews were conducted at KCCF in March 2024, one AAO was delayed due to the fact he needed to complete an assessment test being used to help determine his high school readiness level.

³⁷ In March 2024, the ADP for secure detention at KCCF was 825. Ten (10) of the total 825 ADP, or 1.25%, were AAOs detained at KCCF at the time.

³⁸ The Sergeant also helps newer AAOs understand the housing assignment system and coaches them in how to avoid conflict. The AAOs expressed appreciation for the support they receive and trust they have with the Sergeant.

³⁹ <https://interagency.seattleschools.org/about/campus-locations/king-county-jail/>

The Program Manager indicated the Adult Divisions is negotiating the restart of the GED program to be offered to detainees over 24 years old. Adult facilities programming staff also are exploring a system to give AAOs and others access to community college classes. Discussions with S. Seattle Community College have included a focus on classes on re-entry and behavioral health.

A program called, "Courage to Change Interactive Journaling System" is available in the Adult Divisions and some AAOs are participating in the process and mentioned it during interviews. A website description of the program stated that it is "an evidence-based supervision/case management model ... [that has been] studied in jail settings and found to be an effective tool for recidivism reduction and recovery from substance use. It provides a positive self-directed programming opportunity to guide individuals toward positive behavior change."⁴⁰ Detainees consider and journal about a number of different topics, such as self-control, family ties, peer relationships, and seeking employment.

Efforts focused on developing job preparedness skills have been made, including reinstating a program that taught custodial skills at RJC pre-COVID and initiating a new program to teach shipping and receiving skills. The Program Manager indicated that unfortunately, after extensive discussions, the community partner who was to help coordinate the shipping and receiving program stated they did not have the capacity to follow through. The Program Manager emphasized the importance of having continuity between courses offered to AAOs and others while in jail and job opportunities once they are released back into the community. Ideally the courses run five to eight weeks and then there is a direct referral to one or more community businesses hiring for the specific skills taught.

Along with providing tablets to youth at CCFJC, as discussed above, DAJD has provided detainees in the adult facilities, including AAOs, with access to individual tablets. The tablets have telephone capability, specialized content such as select reading material, and games. They provide AAOs and others with an alternative way to spend time while detained and a means to have more regular contact with their families, both of which might help reduce conflict between detainees and the need for restrictive housing.

VI. PROGRESS IN IMPLEMENTING EARLIER RECOMMENDATIONS AND RECOMMENDATIONS FOR REDUCING THE USE AND DURATION OF SOLITARY CONFINEMENT AND FOR IMPROVING DATA COLLECTION AND REPORTING OF

⁴⁰ <https://shop.changecompanies.net/collections/the-courage-to-change>

INCIDENTS OF SOLITARY CONFINEMENT (PROVISO I AND J)

Progress in implementing earlier recommendations and recommendations developed during the current monitoring period (also listed below) for reducing the use and duration of solitary confinement and for improving data collection and reporting of incidents of solitary confinement are summarized on Attachment A, Status of Restrictive Housing Monitoring Recommendations (Updated May 24, 2024).

The monitoring team makes the following recommendations for the current monitoring period:

- 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.
- 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.
- 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.
- With input from JDOs and Supervisors, develop a strategy to ensure that youth return their tablets when required to do so.

VII. CONCLUSION

While neither the DSG's Safety and Security Analysis nor the Auditor's Report focused solely on reducing the use and duration of restrictive housing with juvenile detainees, recommendations from those reports relate to recommendations made by the monitoring team. Issues such as staff shortages, higher ADP, the increased average length of stay for juveniles, the lack of robust, consistent, and predictable programming, effective behavior management alternatives, and a mutually respectful management-staff relationship all impact the experience of youth held in detention and play a role in whether conflict among detainees is more or less likely to occur and whether the organization has the necessary capacity and resources to deter or respond to conflict. The lower the level of conflict or threatening behavior, the less likely will be the need for restrictive housing.

The Juvenile Division is developing a master list of recommendations it has recently received, including those made by the DSG consultants, the King County Auditor's Office, and the restrictive housing monitors. Given how interrelated the issues are underlying these recommendations, the

monitoring team is optimistic that progress on any of these fronts will help reduce the use and duration of restrictive housing with juvenile detainees.

Appreciation is again expressed for how willing DAJD staff, detained youth, and others have been to meet with the monitors and openly share information, concerns, and ideas for improving the experience of both juveniles living in detention and staff working in detention facilities. Everyone from throughout DAJD, in both the Juvenile and Adult Divisions, have readily responded to all requests for information and supported the monitoring process in every respect. The monitoring team hopes that the information compiled in this report and recommendations made are found to be useful and support the work done on behalf of all juveniles detained in DAJD facilities.