



KING COUNTY AUDITOR'S OFFICE

APRIL 6, 2021

Adult Jails Need Risk-Based Approach to Improve Safety, Equity

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Executive Summary

The Department of Adult and Juvenile Detention's risk management system could be more robust to increase jail safety. Fights and assaults occur daily in King County adult jails. However, the rates of fights and assaults dropped significantly when the King County Correctional Facility in downtown Seattle stopped housing two people per cell in response to the COVID-19 pandemic. Even with a reduced overall population in 2020, the jail does not have enough psychiatric housing to provide consistent care to the increasing number of people with serious mental illness in custody. We also found significant racial disparities in housing and discipline that placed Black people in more restrictive housing, which has negative health impacts. We recommend the County use a risk-based approach to continuously improve jail safety, avoid housing people in two-person cells, increase the number of suicide-resistant cells, enhance communication and training to better care for people with mental illness, and reduce racial inequities in housing and discipline.



King County

Content Warning, Terms, and Values

This report contains references to suicide, sexual assault, and other traumatic experiences.

If you or someone you know is experiencing suicidal thoughts, you can call the 24-hour U.S. National Suicide Prevention Lifeline at 800-273-TALK (8255). You can also text HOME to 741741 to speak with a crisis counselor. Learn to recognize the warning signs of a mental health crisis by visiting the [National Alliance of Mental Illness website](#).

If you or someone you know has experienced sexual assault, there are resources that offer support for survivors and people close to them. You can call the National Sexual Assault Hotline at 1-800-656-HOPE (4673) at any time. The King County Sexual Assault Resource Center provides critical support and direct services. To talk with someone immediately, call their resource line at 888-99-VOICE (86423).

Language is an important tool for advancing equity and accountability, and data systems sometimes include words that lag behind the evolution of terms. The words used in the body of the report may not match terms used in exhibits. For exhibits, we selected terms based on their original data sources. We note instances where we made these changes in the text or footnotes. These are some changes we made in this report and the communities which may be affected:

- The original data sources provided for this report did not include data on ethnicity, meaning that it was not possible to provide information on Latinx, Hispanic, or other communities.
- Department of Adult and Juvenile Detention (DAJD) data does not disaggregate the racial categories "Asian or Pacific Islander" and "American Indian, Alaska Native," which are used to represent a diversity of peoples. In this report, we use the term "Indigenous people" to reference communities categorized in Department of Adult and Juvenile Detention data as "American Indian/Alaska Native (AIAN)".
- The original data system categorizes people as either "male" or "female". Information for intersex people as well as for people's gender identities was either unavailable or may identify individuals, so is not included in the report.

The King County Auditor's Office is committed to equity, social justice, and ensuring that King County is an accountable, inclusive, and anti-racist government. While planning our work, we develop research questions that aim to improve the efficiency and effectiveness of King County government and to identify and help dismantle systemic racism. In analysis we strive to ensure that communities referenced are seen, not erased. We promote aligning King County data collection, storage, and categorization with just practices. We endeavor to use terms that are respectful, representative, and people- and community-centered recognizing that inclusive language continues to evolve. For more information, see the King County [Equity and Social Justice Strategic Plan](#), King County's [statement on racial justice](#), and the King County [Auditor's Office Strategic Plan](#).

Acknowledgment

We would like to acknowledge that the already demanding work performed by the Department of Adult and Juvenile Detention (DAJD) and Jail Health Services (JHS) became even more challenging during the COVID-19 pandemic. We began our audit fieldwork and interviews just as the pandemic was beginning, which forced both DAJD and JHS to take unprecedented measures to protect not only their staff but also people in custody. Even with these exceptional and urgent challenges, both DAJD and JHS made time to answer our questions, provide us access to their data systems, policies, and records, and arrange for us to interview both corrections officers and people in custody.

The nature of performance audits is to focus on areas for improvement, and this does not mean the staff of DAJD and JHS are not also doing good work under extremely challenging circumstances.

For example, DAJD convened a working group to help identify ways to reduce isolation impacts on people in restrictive housing. In addition, in December 2020, DAJD partnered with the county chief equity and inclusion officer to launch training for management and staff to “identify and address bias and develop the skills to interrupt any behavior and/or practices that do not align with the County’s focus on becoming pro-equity and anti-racist.” Many of the issues we identify in this audit have systemic and societal causes that are outside of the control of any one agency and will require the collective action of a variety of stakeholders around the County to fully address.

Adult Jails Need Risk-Based Approach to Improve Safety, Equity

REPORT HIGHLIGHTS

What We Found

The Department of Adult and Juvenile Detention (DAJD) manages risks to jail safety without a comprehensive risk management strategy. The jail has data on incidents and uses of force, but aging data systems make it difficult for staff to use that data to improve jail safety.

Fights and assaults occur regularly in King County adult jail facilities, but the King County Correctional Facility in downtown Seattle is a more dangerous facility for staff and people in custody than the Maleng Regional Justice Center in Kent. The practice of assigning two people to the same cell (double-bunking) contributes to this danger. Starting in March 2020, the County reduced the jail population due to the COVID-19 pandemic and was able to avoid double-bunking, leading to a significant drop in fights and assaults at the Seattle facility.

Since the fourth quarter of 2019, on average each day, more than 10 people who need psychiatric housing are not placed in psychiatric housing, making it difficult for them to receive commensurate care. At least one person has died in DAJD custody every year since 2009, and four suicides took place between 2017 and 2020. None of these took place in units with suicide-resistant cells.

We found racial disparities in discipline and housing that harm Black people and benefit White people, on average. Black people were more likely to be in higher security units, get infractions for breaking the rules, and spend more time in restrictive housing as punishment. Effects of these inequities can go beyond the jail and have lasting negative health impacts.

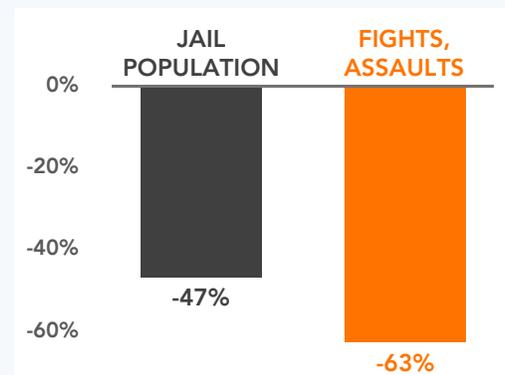
What We Recommend

We recommend the County implement a more comprehensive risk management strategy to improve jail safety. As part of this strategy, we recommend that DAJD avoid assigning people to the same cell, enhance communication and training to better care for people with mental illness, make more cells suicide resistant, and reduce racial inequities in housing and discipline.

Why This Audit Is Important

More than one fight or assault occurs per day at King County adult jails, on average. Local jails in Washington state are not subject to state oversight, reducing transparency and accountability. King County books more than 30,000 people into adult jails each year, and a disproportionate number of them are Black and Indigenous people. The County's goal is to lead with race in its equity efforts, and DAJD's mission is to run "safe, secure and humane detention facilities." Due to workers' compensation claims caused in part by employee injuries from violent incidents, DAJD has the second highest insurance rate of any county agency.

A lower population in the Seattle jail (due to COVID-19) drove large reductions in fights and assaults.



Note: Change calculated by comparing second quarter averages for 2017–2019 to the second quarter of 2020.

Source: King County Auditor's Office analysis of Department of Adult and Juvenile Detention data.

Adult Jails Need Risk-Based Approach to Improve Safety, Equity

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King County Adult Jail Operations

SECTION SUMMARY

This section provides context on jail operations within the criminal legal system to better convey the impact of the findings and recommendations in subsequent sections of this report. King County runs two adult jails that differ in size, age, physical layout, and population. While the Department of Adult and Juvenile Detention (DAJD) runs the jails, DAJD does not decide who to incarcerate. From 2017 to 2019, the two county jails had a combined daily average of about 2,000 people in custody. Starting in March 2020, to stop the spread of COVID-19, the disease caused by the new coronavirus, the County reduced the total daily population of both jails to around 1,300. The County aims to maintain this lower population after the pandemic by reducing the number of people sent to jail.

What adult jails does King County run and how do they differ?

DAJD operates two adult jails: King County Correctional Facility (KCCF) in downtown Seattle and Maleng Regional Justice Center (MRJC) in Kent. MRJC is a more modern facility housing people in lower security classifications, while KCCF is an older facility housing people in higher security classifications and in medical and psychiatric housing.

King County opened KCCF in 1986 as an *indirect* supervision jail. Eleven years later, in 1997, the County opened MRJC as a *direct* supervision jail (see exhibit A). People in custody have more freedom of movement in direct supervision facilities. In an indirect model, physical barriers generally separate officers from people in custody, while in a direct model, officers work within units where barriers are far less common. For example, at MRJC people in custody typically have their own cells and a shared recreation area, where corrections officers work during their shift. In contrast, at KCCF a plexiglass wall separates both cells and recreation areas from corrections officers' posts. This design requires staff to physically escort people in custody through a series of checkpoints for routine activities such as visits, medical checks, recreational time, or vocational activities. DAJD command staff noted that KCCF was one of the last high-rise indirect supervision jails built in the country and that this model is outdated.

EXHIBIT A: King County jail facilities employ different methods of supervision.

King County Correctional Facility (KCCF)	Maleng Regional Justice Center (MRJC)	
		
Seattle	LOCATION	Kent
1986	OPENED	1997
1,159	AVERAGE DAILY POPULATION (2019)	817
Minimum, Medium, Close, Maximum, and Ultra	HOUSING SECURITY LEVELS	Minimum and Medium
Larger, more common	MEDICAL AND PSYCHIATRIC ACCOMMODATIONS	Smaller, more limited
Indirect	SUPERVISION	Direct
<div style="display: flex; justify-content: space-between;"> <div data-bbox="365 1304 927 1528" style="width: 45%;"> <p>Indirect supervision, sometimes called "remote surveillance," has the officer's station separate from the inmate living area.</p>  </div> <div data-bbox="927 1304 1481 1528" style="width: 45%;"> <p>Direct supervision places the correctional officer's station within the inmate living area, or "pod" as it is often called.</p>  </div> </div>		

Note: The supervision photos above are not actual depictions of KCCF or MRJC facilities but are included as examples of what indirect and direct supervision can look like.

Table source: King County Auditor's Office

Photo sources: *Top* DAJD, *bottom left* Courtesy of DAJD, *bottom right* Seminole County Sheriff's Office

How many people are in the two King County jails?

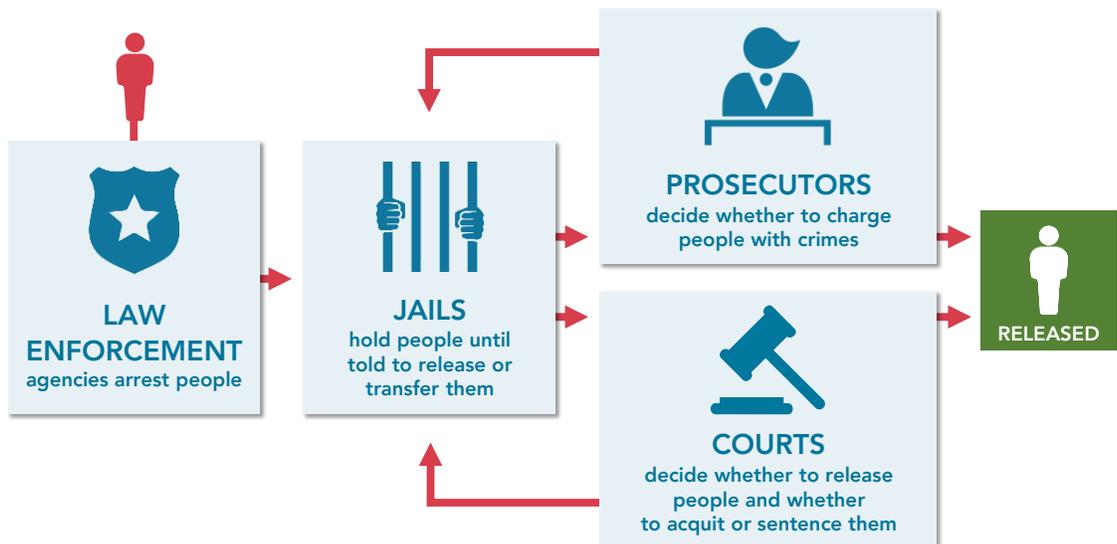
In 2019, over 32,000 people were booked into and released from King County adult jails. That year, KCCF and MRJC had average daily populations (ADP) of 1,159 and 817, respectively. Across both jails, adults stayed in custody for an average of 25 days, with lengths of stay ranging from less than a day to several years based on the circumstances of their incarceration.

Due to the need for social distancing to prevent the spread of COVID-19, county justice partners including DAJD, the Prosecuting Attorney, and Department of Public Defense worked together to reduce the combined ADP of both jails to around 1,300 people in April 2020 from nearly 2,000 in 2019. The County plans to keep the combined ADP of both jails around 1,300 after the pandemic.

Does DAJD decide who stays in jail?

DAJD runs adult jails, but the department does not decide who goes to jail and has only limited authority over how long people stay. Law enforcement agencies in King County, including the King County Sheriff’s Office (Sheriff’s Office) and 37 other local police agencies, arrest people and bring them to the jail for booking based on alleged crimes (see exhibit B).¹ The King County Prosecuting Attorney determines whether to officially charge someone or decline their case. Judges decide whether a charged individual will be eligible for release on bail, other alternatives to detention, or will stay in jail until their case resolves. Judges also determine the sentence length of people convicted of a crime. DAJD can require people to serve a longer portion of their sentence based on their behavior in jail, but it has limited authority over how long people stay in jail if they are serving a sentence.

EXHIBIT B: Whom DAJD holds in custody depends on several other actors.



Source: King County Auditor’s Office

¹ In King County, the Sheriff’s Office and the Department of Adult and Juvenile Detention are two separate departments.

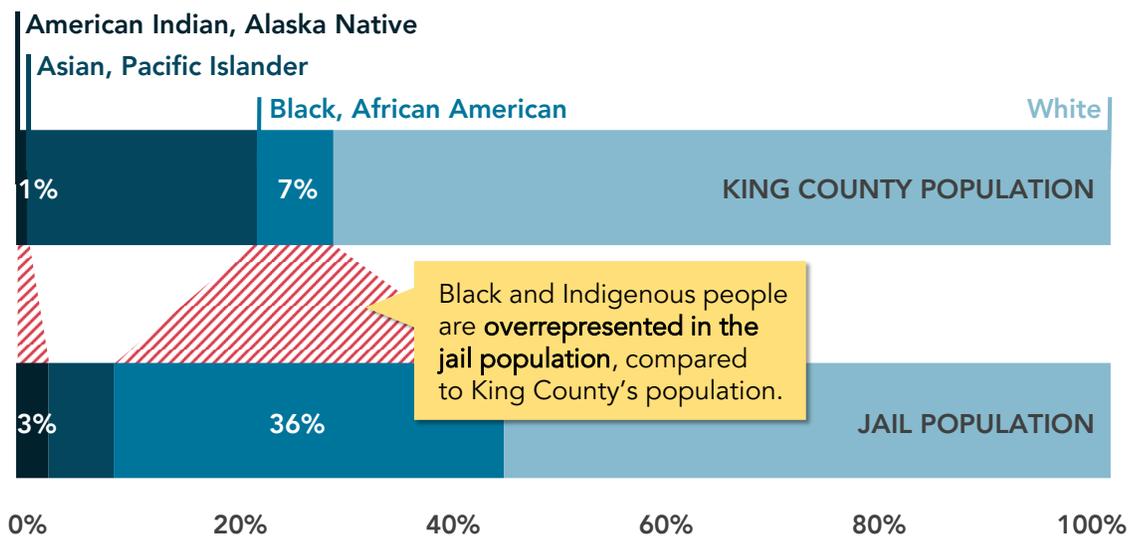
Have people in custody been convicted of a crime?

Most people incarcerated in King County adult jails have not been convicted of a crime. Approximately, 85 percent of people in county adult jails are awaiting trial, while 15 percent are serving a sentence.² By law, people convicted and sentenced to less than one year in custody serve their sentence at a local jail, while those with longer sentences are transferred to and serve their time in state-run prisons.

How does the jail population differ from the county's population?

The makeup of the jail population is different from the county's, especially in terms of race and gender. For example, while Black people account for seven percent of the county's population, they account for 36 percent of the total jail population across the two facilities (see exhibit C). In contrast, White people make up about 70 percent of the county population and 56 percent of the jail population. The jails also house more people identified as male than female, who account for only 12 percent of the total jail population.³

EXHIBIT C: Black and Indigenous people are overrepresented in the jail system, 2017-2019.



Note: These are the four categories that Department of Adult and Juvenile Detention's (DAJD) data systems use to track race, which we will use throughout this report. For purposes of this comparison, we have allocated people of two or more races in the King County population into these four categories proportionally. Due to data reliability concerns, we did not include ethnicity in our analysis.

Source: King County Auditor's Office analysis of DAJD and U.S. Census Bureau data.

² According to Auditor's Office analysis of the charge status of people in DAJD custody at the end of 2019.

³ DAJD and U.S. Census Bureau data disaggregates gender by male and female. Neither entity reports a reliable count of people who are gender non-binary or transgender.

What is a security classification and how is it decided?

Security classifications determine what housing unit an incarcerated person will live in and what access to other people, privileges, and staff an incarcerated person will have. The jail has four security levels. In increasing order of security, they are minimum, medium, close, and maximum (see exhibit D). People incarcerated in higher security levels have less contact with other people, fewer privileges, and less time out of their cells than people in lower security levels. In line with federal guidance, DAJD has a policy of housing people in the least restrictive housing needed to ensure jail safety and security.

DAJD classification staff are tasked with determining security classifications of people in custody. Classification staff determine security levels by assigning people “criminal involvement” and “management risk” scores based on factors such as the seriousness of the alleged offense, escape history, conviction history, incarceration experience, and behavior. We discuss findings and recommendations related to classification in greater detail in the section of this report titled “Racial Disparities Exist in Housing, Discipline.”

EXHIBIT D: Security classifications for adults in DAJD custody:

Classification	Defining features
Minimum	People are eligible for dormitory group housing, worker status, all available jail programs and privileges, and may order regular commissary items.
Medium	People live in a mix of dormitory group housing and one-to-two person cells with a shared dayroom. They are still eligible for all jail programs and may order regular commissary items.
Close	People live in one-to-two person cells with a shared dayroom. They may order regular commissary items. Programs are individualized except for attendance at religious services and yard recreation. At the Maleng Regional Justice Center, an additional officer is required for escort.
Maximum	People live in one-person cells with limited access (2.5 hours per day) to the dayroom in small groups or individually. They have limited commissary access and no TV.

Source: King County Auditor’s Office presentation of Department of Adult and Juvenile Detention information.

Do King County jails use solitary confinement?

King County adult jails place people in restrictive housing, not solitary confinement. Jail Health Services (JHS), a division of Public Health — Seattle & King County, policy notes that solitary confinement is more extreme than restrictive housing since the former limits encounters with staff and other people in custody to fewer than three times a day. The jail defines restrictive housing as housing that removes people from the general population who present a “serious threat” to staff, themselves, other people in custody, and/or property. People in restrictive housing are physically separate from all other people in custody. They stay in a single-person cell and have access to the dayroom only on their own for one hour per day. People in restrictive housing also have limited access to purchase commissary items and are not allowed to watch TV. They may lose their hour of out-of-cell time if their behavior “creates safety and security concerns,” according to DAJD’s Restrictive Housing Policy.

What is psychiatric housing?

Psychiatric housing is a form of housing for people with serious mental illness or immediate potential for suicide or self-harm. JHS determines whether people in custody need psychiatric housing and at which level. DAJD has three types of psychiatric housing for people with different symptoms and behaviors (see exhibit E). The least restrictive types of psychiatric housing allow for regular interaction with other people in custody. The most restrictive types of psychiatric housing meet the definition of restrictive housing, involving segregation from other people in custody and only one hour of out-of-cell time per day (see question on solitary confinement, above).

EXHIBIT E: County adult jails have three types of psychiatric housing for people with different needs.

Type	Defining features
Green	For people with a serious mental illness and moderate functional impairment. Green psychiatric housing is group housing (i.e., dormitory group housing or one-person cells with a shared dayroom). Here, people have access to commissary items with some restrictions.
Yellow	For people with a serious mental illness, active symptoms, and severe functional impairment. Yellow psychiatric housing can be either group housing or restrictive housing. Here, people have access to commissary items with some restrictions.
Red	For people with an immediate potential for self-harm or suicide. Red psychiatric housing is restrictive housing. Here, people have no access to commissary items and receive a suicide-resistant smock and suicide-resistant blanket. Under policy, Jail Health Services and DAJD staff review these placements daily.

Source: King County Auditor’s Office presentation of Department of Adult and Juvenile Detention (DAJD) information.

What are violent incidents?

In this report, we use the term **violent incidents** to refer to incidents including **fight, assault, sexual victimization, excessive and unnecessary uses of force, self-harm, throwing, deaths in custody, and other reported altercations**. A fight is an incident where all parties are aggressive, and an assault is where some parties are aggressive and others are not (see exhibit F, below, for definitions). Corrections officers determine how to classify incidents based on their observations when reporting the situation to supervisors.

EXHIBIT F: Violent incident types analyzed and discussed in this report.

Fight	Incidents where all parties are aggressive.
Assault	Incidents where some parties are aggressive, and some parties are not.
Sexual victimization	Sexual abuse allegations reported under the Prison Rape Elimination Act to DAJD staff. Includes nonconsensual sexual acts and abusive sexual contact between people in custody, and sexual misconduct and sexual harassment between DAJD staff and people in custody.
Excessive and unnecessary use of force	Force deployed by DAJD staff beyond what is reasonably necessary to subdue resistive persons, such as brutality or corporal punishment.
Self-harm	Incidents reported as people in custody hurting themselves, where the behavior does not result in death. These behaviors include but are not limited to hanging, self-mutilation, and drug overdose.
Throwing	Throwing feces or urine.
Deaths in custody	Deaths of people in custody reported by DAJD to federal authorities.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention (DAJD) policy and practice.

What are uses of force?

There is no single, universally agreed-upon definition of use of force. The International Association of Chiefs of Police has described use of force as the amount of effort required by an officer to compel compliance by an unwilling person. Uses of force are a common practice, falling on a spectrum from using hands to weapons. Corrections officers regularly use force when people in custody are resistant to orders or otherwise non-compliant. According to DAJD's Use of Force Policy, handcuffing or escorting people when they are compliant are not uses of force.

DAJD's Use of Force Policy directs corrections officers only to use force to prevent harm or escape, protect themselves, effect an arrest, or enforce a lawful order. Further, DAJD's Code of Conduct Policy prohibits officers from using excessive or unnecessary force such as brutality, corporal punishment, or force beyond what is reasonably necessary to subdue people who are resisting.

DAJD provides corrections officers with a use of force continuum that lists acceptable force responses for different kinds of resistance (see exhibit G). Although it is a continuum suggesting movement from lowest to highest force, DAJD does not require officers to use force in that order and instead requires officers to decide what force is reasonable or necessary based on the circumstances. We discuss use of force and make related recommendations in the report section titled "Use of Force Common, Oversight Limited."

EXHIBIT G: Department of Adult and Juvenile Detention use of force continuum.

RESISTANCE OF PERSON IN CUSTODY		OFFICER FORCE RESPONSE
<p>Verbal (i.e., using words without physical resistance)</p>	 <p>CONTROL</p> 	<p>Presence (i.e., several officers arrive on scene together)</p> <p>Verbal (i.e., de-escalation)</p>
<p>Passive resistance (e.g., not obeying and countering staff efforts of control)</p> <p>Active static resistance (e.g., tensing up to counter staff efforts)</p> <p>Active egressive (e.g., trying to leave)</p>		<p>Level I control tactics</p> <ul style="list-style-type: none"> • Taser, set to incapacitate • Strength techniques • Pressure points • Counter joints
<p>Active aggressive (e.g., using reactive or evasive movements to escape control)</p>	<p>IMPEDE</p> 	<p>Level II defensive tactics</p> <ul style="list-style-type: none"> • Taser, set to inflict pain • Pepper spray • Strikes/kicks • Other impact weapons
<p>Active aggravated, aggressive (e.g., resisting control through physical attacks on staff)</p>	<p>STOP</p> 	<p>Level III defensive tactics</p> <ul style="list-style-type: none"> • Lethal force • Firearms

Source: King County Auditor’s Office review of Department of Adult and Juvenile Detention policy.



DAJD Lacks Proactive Risk Management Strategy

SECTION SUMMARY

DAJD lacks a comprehensive risk management strategy, reducing its ability to identify and mitigate safety risks that may lead to violent incidents. For example, there are various strategies to reduce the risk of people in custody throwing feces and urine at staff, but DAJD has not yet made a concerted effort to address this problem. We found that the jail has data on uses of force and violent incidents, but that the data is difficult to analyze because much of it is stored on paper records or in antiquated data systems. While DAJD reports federally mandated information on sexual victimization and deaths in custody, it does not publicly report statistics related to more common violent incidents. This reduces information available to county decision-makers and the public, thus presenting barriers to accountability and systemic change. We recommend that DAJD implement a comprehensive risk management strategy, regularly use data to improve safety, and increase transparency around jail safety and violent incidents.

METHODS

- Reviewed DAJD Supervisor Incident Reports for 28 of 32 total throwing incidents that happened between 2017 and 2019
- Reviewed DAJD Internal Investigations Unit (IIU) investigation logs of all 372 alleged/investigated policy violations from 2017 to 2019

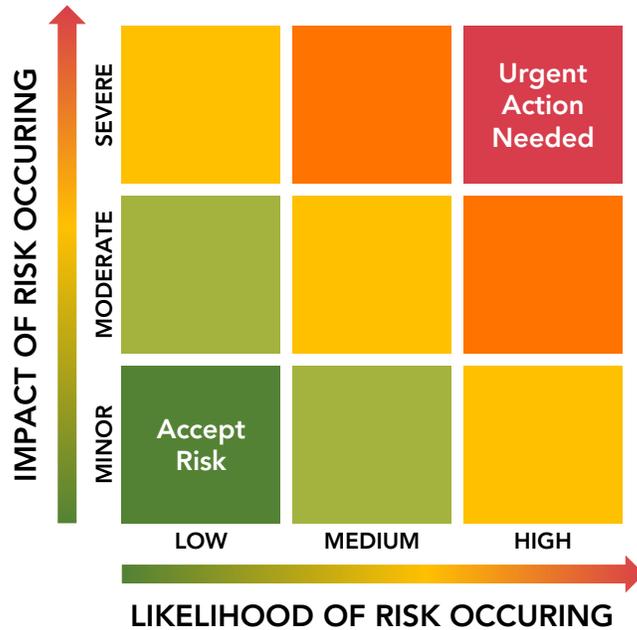
DAJD lacks proactive risk management strategy

DAJD lacks a comprehensive risk management strategy, making it less prepared to identify and mitigate risks that lead to violent incidents. Conducting risk assessments is a best practice for finding and managing risks before incidents happen. Risk assessments involve identifying risks, evaluating their likelihood and potential impact, and recommending ways to reduce risk (see exhibit H, below). Risk mitigation uses these findings to prioritize and implement measures to reduce risk, as well as activities to regularly monitor and document the effectiveness of these measures to determine if further adjustments are necessary. Designating a risk owner who has the accountability and authority to manage each of these risk management processes helps to further ensure that risk reduction measures are effective. Comprehensive risk management strategies also assist in prioritizing where to dedicate limited resources.

DAJD does not engage in regular, proactive, systematic discussions of risk, meaning opportunities to prevent incidents may be lost. DAJD has a variety of ways to investigate individual incidents, including through DAJD's Internal Investigations Unit (IIU), Sexual Assault Incident Review Committee, or its Force Review Committee. While these investigations are important, they are inherently reactive. DAJD staff does not have a process to review aggregated incident

information to look for patterns, consider how likely incidents are, and how significant the consequences of these incidents would be in order to prioritize risk reduction goals and strategies. For instance, DAJD does not examine at a high level how many incidents an officer or person in custody has been involved in or where and when most incidents happen. Proactive systems are a best practice in risk management to prevent risks or reduce their likelihood and impact. With a reactive system, DAJD has fewer processes in place to prevent or mitigate violent incidents.

EXHIBIT H: A typical risk assessment looks at the impact and likelihood of potential risks to help prioritize organizational response.



Source: King County Auditor’s Office example of a risk assessment matrix.

Recommendation 1

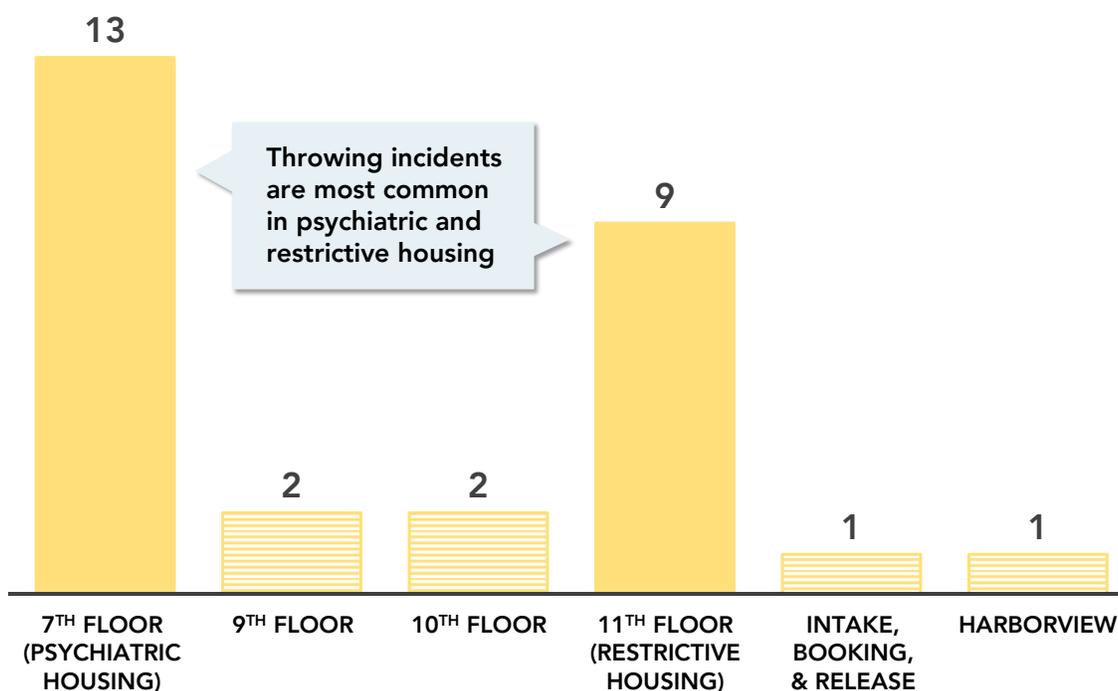
The Department of Adult and Juvenile Detention should develop, document, and implement a comprehensive risk management strategy, including a risk owner, measurable goals, annual risk assessments, and continuous risk mitigation, monitoring, and improvement.

Throwing assaults harm jail staff

For example, people in custody infrequently but consistently throw feces and urine at staff, putting people’s health and safety at risk. Based on a review of paper reports, we found that between 2017 and 2019, there were between nine and fourteen throwing assaults each year targeting both DAJD corrections officers and JHS staff. Throwing happened most often on KCCF’s psychiatric and restrictive housing units (see exhibit I). More than half of the reviewed incidents took place when a corrections officer opened a mail slot-like opening on a cell door, known as a pass-through, to hand food trays or medicine to the person in the cell. Staff told us that sometimes corrections officers open all pass-throughs at the same time to hasten the distribution of food or medicine, increasing the risk of victimization.

These incidents have various costs. They expose victims and others to biological fluids that may carry disease and require victims to clean up or seek medical attention, which can lead to empty or backfilled posts. People in custody who work as janitorial staff in the facility are exposed to human waste if they are assigned to clean the affected area. There are direct financial costs as well. DAJD and JHS staff filed workers’ compensation claims in six of the more than 30 incidents between 2017 and 2019, with claims costing the County an average of \$4,700. Some staff also mentioned that these incidents weigh on morale in ways that are different than other types of assaults.

EXHIBIT I: Throwing incidents are most common in psychiatric, restrictive housing at the Seattle jail, 2017–2019.



Note: All locations are within King County Correctional Facility, except Harborview, which refers to Harborview Medical Center. At time of review, documentation was available on 28 of 32 incidents. Harborview Medical Center is where people in custody sometimes go to receive medical treatment.

Source: King County Auditor’s Office review of Department of Adult and Juvenile Detention data.

Throwing risk not well-managed

Various strategies to prevent throwing incidents exist, but DAJD has not made a concerted effort to address this problem.

The Washington State Department of Corrections (DOC) recommends that corrections staff keep pass-throughs closed unless there is an emergent need to open the port. The DOC also suggests using magnets or other indicators on the cells of people involved in previous throwing incidents as a clear means to communicate to all who come into contact with the person that there may be a risk of throwing behavior. Despite knowing these incidents present a recurring threat to staff, DAJD does not have documented policies or procedures to reduce the risk of staff becoming a victim of throwing incidents. It has

not implemented DOC strategies nor issued departmentwide communications about how to avoid becoming a victim of a throwing attack. DAJD has bought some protective equipment and retrofitted two cells to block a potential throwing attack, but these strategies are not widely understood, used, or monitored for effectiveness. Both DAJD and JHS staff have a vested interest in reducing throwing incidents, since JHS staff delivers medications and corrections officers deliver meals, leading to potential exposure for both parties. JHS staff stated it has suggested potential mitigation activities, such as not opening all the pass-throughs at once, but was told by DAJD that this would reduce efficiency and be difficult given the level of staffing on each unit.

Recommendation 2

As part of its risk management strategy, the Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement policies and procedures to reduce the number of throwing incidents.

Old data systems limit ability to find risks, report data

Old data systems have made it difficult for DAJD to analyze incident trends, further limiting risk mitigation efforts as well as accountability and transparency. DAJD relies on paper records and mainframe databases that are more than 40 years old for its classification and incident tracking. These paper records and databases do not allow for easy review of trends and patterns, and only a few staff know how to extract data from these systems. This lack of modern tools limits accountability and could be a barrier to objective analysis. For example, staff can use the name of a person in custody to look up how many violent incidents that person was involved in. However, staff cannot do the reverse: they cannot pull a report that identifies which people in custody have the most involvement in violent incidents. DAJD began an IT capital project to build a new Jail Management System (JMS) in 2017. The new data system is planned to go online in June 2021 and will simplify search and retrieval of data for DAJD management.

New data system reports may not offer enough data on jail safety

The lack of detail in electronic records has been a barrier to systematic risk analysis, and DAJD's plans for the new JMS may not support comprehensive analysis of incidents and uses of force in the jails. DAJD does not use existing systems to query how often people are involved in violent incidents, how often individual corrections officers use force, nor whether there are racial disparities in use of force incidents. This is in part because current electronic records do not distinguish whether a person involved in a violent incident was an attacker or a victim. Similarly, when multiple corrections officers are involved in an incident where there is a use of force, the records do not specify which of the officers used force and which did not. Commanders said it would be helpful to have more detailed data analytics but were uncertain to what extent the new JMS would provide relevant tools to track metrics related to jail safety. According to DAJD, the JMS project will include the development

of more than 100 administrative and operational reports on many topics. However, none of the reports currently listed for development as of January 2021 specifically relate to trends in uses of force or incidents. As a result, opportunities to reduce risks or violent incidents systematically may be missed.

Recommendation 3

As part of its risk management strategy, the Department of Adult and Juvenile Detention should ensure that it has sufficient data and reporting capabilities to analyze use of force and violent incident trends to identify risks and monitor progress towards safety goals.

Public data lacking

DAJD does not publicly report safety information beyond what is legally required, reducing jail accountability to decision-makers and the public. DAJD publicly reports annually data on sexual victimization and deaths in custody in compliance with federal laws. DAJD does not regularly report on violent incidents, uses of force, or other safety metrics on its website. This lack of information reduces transparency around the treatment of people in custody. In contrast, DAJD publishes useful monthly reports on the jails' population demographics to its website.

Communicating information to external parties, including the general public, is a way for government agencies to ensure that these parties can help achieve the agencies' objectives and address related risks. In 2019, the Sheriff's Office launched a public dashboard that provides information on day, time, and location of use of force incidents, officer force tactics, and subjects and crimes charged. The home page for the Sheriff's Office dashboard notes "transparency is one of the driving factors in gaining the trust of the communities we serve." This reflects changes at the national level. For example, the 2015 President's Taskforce on 21st Century Policing advocates making information available for public review in order to build public trust and legitimacy.

Recommendation 4

The Department of Adult and Juvenile Detention should publicly report safety goals and data on violent incidents and uses of force broken out by population demographics at least annually.



Double-Bunking Drives Fights, Assaults

SECTION SUMMARY

Lack of personal space may have contributed to KCCF having significantly higher rates of fights and assaults than MRJC. Recent reductions in the jail population to increase social distancing in response to the COVID-19 pandemic corresponded with declines in fights and assaults, the most common types of incidents at KCCF. This is likely because lower population levels meant fewer people had to share cells, increasing personal space and reducing both conflict and opportunities for violent incidents. Increased space may also reduce sexual violence, which commonly occurs inside people's cells. The ability to provide this increased space is dependent on the County keeping the jail population low. We recommend that DAJD work to avoid assigning two people to the same cell.

METHODS

- Analyzed Roster Management System data on all 2,316 violent incidents reported from 2017 to 2020
- Interviewed 22 randomly selected corrections officers by post and 16 randomly selected people in custody by housing unit at KCCF and MRJC
- Reviewed IIU investigation logs of all 372 alleged/investigated policy violations from 2017 to 2019
- Reviewed all 26 unique Sexual Assault Incident Review Committee reports of substantiated and unsubstantiated sexual assault cases at adult facilities from 2017 to 2019

Fights, assaults most common incidents

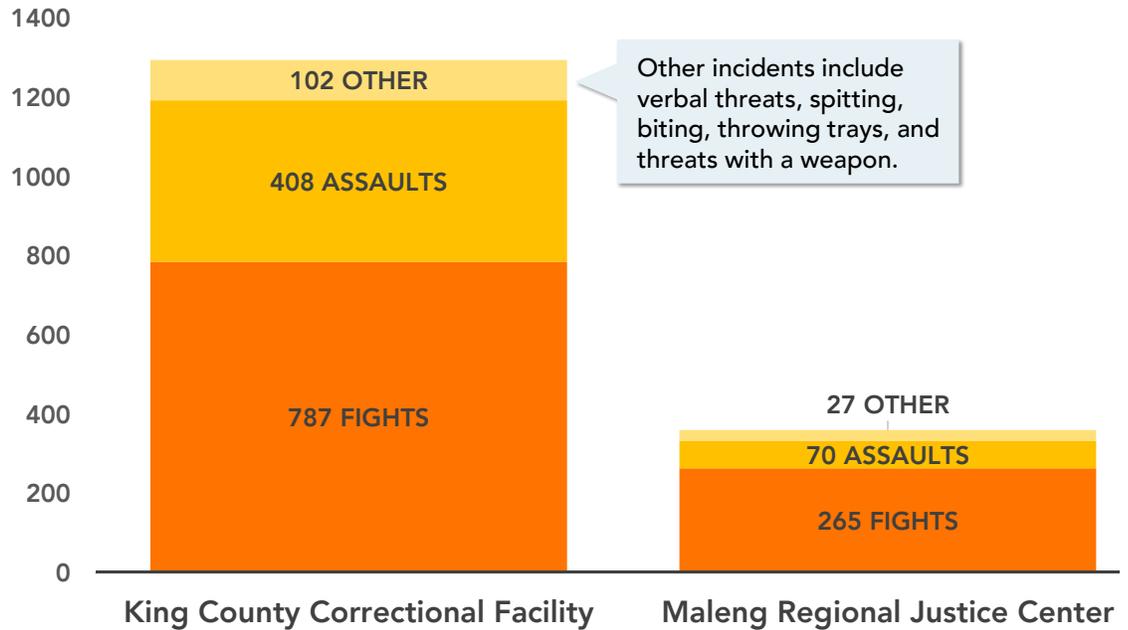
Fights and assaults were by far the most common types of incidents in adult jails. DAJD maintains records on nearly a dozen types of violent incidents, but fights and assaults account for 92 percent of incidents among people in custody.⁴ Fights are much more common than assaults, accounting for more than 60 percent of all such incidents. Between 2017 and 2019, DAJD recorded 1,052 fights across both facilities (see exhibit J).

Corrections officers can discipline people in custody for taking part in fights or assaults. Corrections officers issue infractions for rule breaking and classification staff review these infractions and decide whether to sanction people with up to 10 days in disciplinary restrictive housing, depending on the circumstances and injuries involved. (For more on discipline, see report section titled "Racial Disparities Exist in Housing, Discipline.") Corrections officers we interviewed disagreed about whether DAJD's approach to discipline is effective at preventing violent incidents. Some said that staff

⁴ Incidents included in this report are those classified by DAJD as fights, assaults, verbal threats, spitting, aggravated assaults, biting, throwing trays, threats with a weapon, throwing feces and urine, sexual assault, and other.

and officers apply discipline inconsistently, and that this inconsistency prevents infractions and sanctions from being an effective deterrent.

EXHIBIT J: Fights and assaults were the most common incidents among people in custody at county jails, 2017–2019.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data from the Roster Management System Incident Tracking Module.

Jail missing opportunities to emphasize good behavior

Jail rules emphasize punishing bad behavior more than rewarding good behavior, missing opportunities to promote jail safety. Punishment can include restrictive housing for up to 10 days or the loss of good time, programs, commissary, visitation, or other privileges. However, punitive measures may increase the number of incidents within a facility. Thirty-eight percent of people in custody who we interviewed stated that limiting or revoking access to recreational time or other services increases the likelihood of fights or other incidents due to increased stress. According to the National Institute of Corrections (NIC), corrections officers should hold people in custody accountable for both negative and positive behavior. NIC notes that jails have traditionally expected people in custody to be violent and manipulative, causing staff to avoid them or to engage with them in negative ways.

Behavior management means that jail staff treat people in custody as rational individuals deserving of respect and consideration and hold them accountable for both negative and positive behavior. This proactive strategy relies on a strong commitment from the top, good communication and listening skills, and behavioral incentives. Examples of incentives provided by the NIC include saying ‘thank you’ when people in custody follow rules and offering special rewards like soda or popcorn for regular competitions. DAJD said that it does the latter at MRJC, offering treats and movie nights for the cleanest housing areas on a monthly basis.

If jails are not safe and do not offer positive interactions, people in custody will try to meet their own needs and in doing so may break the rules. According to NIC, corrections officers who work in this environment may see themselves as safest when they stay away from people in custody. However, the NIC recommends jail staff regularly engage with people in custody, acting as supervisors and positive role models. This is because managing the behavior of people in custody is more effective at achieving jail safety and security than physical containment.

DAJD does not set annual in-service training requirements for interpersonal communication or de-escalation, which may leave staff unprepared to prevent violent incidents. During interviews with staff and people in custody, 47 percent of respondents expressed that increased training on interpersonal communications and promoting positive interactions would help to resolve or prevent incidents from escalating to violent incidents. DAJD lacks in-service training requirements partly because there are no state requirements that corrections officers receive continuing education. This may be because Washington lacks a state board of correction. In California, the board of correction sets minimum in-service training requirements for corrections officers at 24 hours per year, which is the same as Washington's continuing education mandate for law enforcement. Similarly, California's board of corrections recently expanded training requirements for crisis communication and de-escalation, mental and behavioral health, and cultural diversity and ethnic disparity. These changes mirror revisions to Washington Administrative Code that expand training for law enforcement. However, under current state regulations, law enforcement mandates do not extend to include corrections officers. A change in state law may help DAJD acquire the resources to train corrections officers how to manage the behavior of people in custody through active listening and communication.

Recommendation 5

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for corrections officers for interpersonal communication and behavioral incentives for managing people in custody.

Recommendation 6

The Executive should include in its legislative priorities for state government, establishing in-service training requirements for corrections officers.

KCCF is more dangerous than MRJC

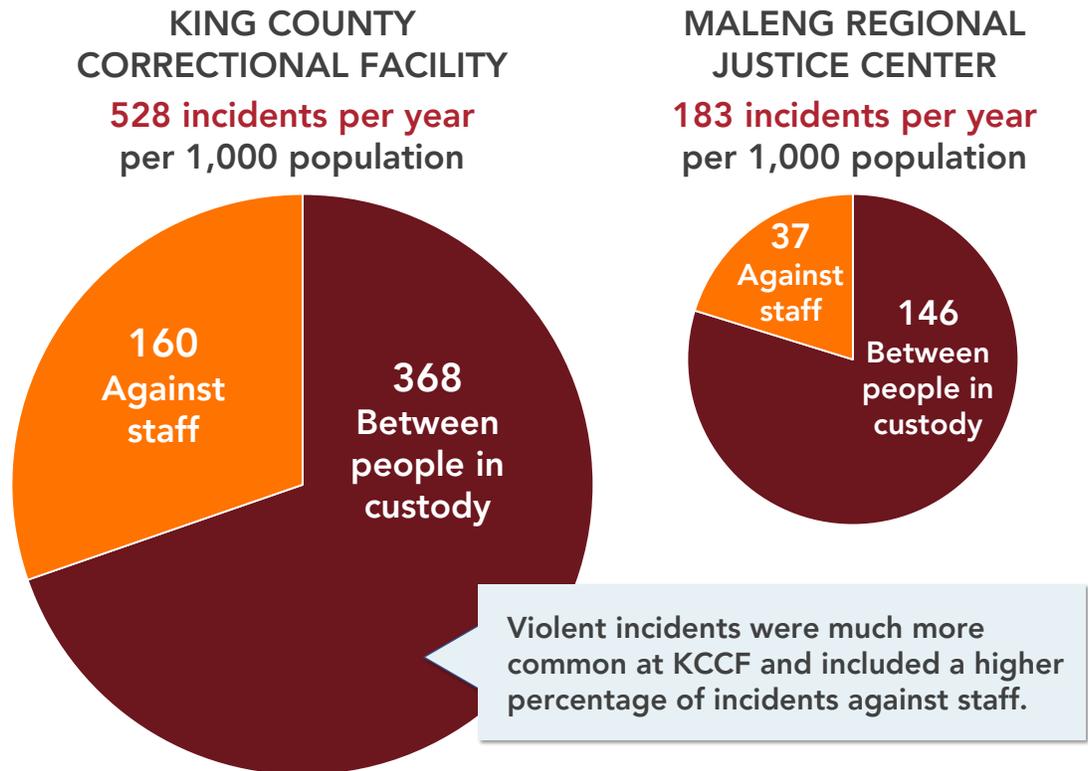
Corrections staff working at KCCF were four times more likely to be assaulted by a person in custody than were officers at MRJC, increasing workers’ compensation claims.

Between 2017 and 2019, the average annual rates of violence against staff at KCCF were 160 per 1,000 people in the ADP, compared to 37 per 1,000 people at MRJC (see exhibit K). Similarly, KCCF had assaults listed among its most common causes for workers’ compensation claims in all three years between 2017 and 2019; MRJC did not have assaults on its list in any of these three years. These assaults resulted in 162 lost workdays, compounding issues of frequent mandatory overtime. Overall, 73 percent (16 out of 22) of corrections officers we interviewed stated that violent incidents were somewhat of a problem or a big problem at KCCF.

People in custody are more likely to be involved in a violent incident than corrections staff.

Between 2017 and 2019, DAJD reported average annual rates of violent incidents between people in custody of 276 per 1,000 people in the ADP, compared with 109 per 1,000 between people in custody and corrections staff. The outmoded physical layout of KCCF contributes to violent incidents by making it more difficult to see and hear what people in custody are doing and by sending the message, through multiple physical barriers, that people in custody are dangerous.

EXHIBIT K: Violent incident rates were much higher at King County Correctional Facility than Maleng Regional Justice Center, 2017–2019.



Note: Rates are the annual count of violent incident type per 1,000 average daily population of the facility. Incidents included are classified as fights, assaults, verbal threats, spitting, aggravated assaults, biting, throwing trays, threats with a weapon, throwing feces and urine, sexual assault, and other.

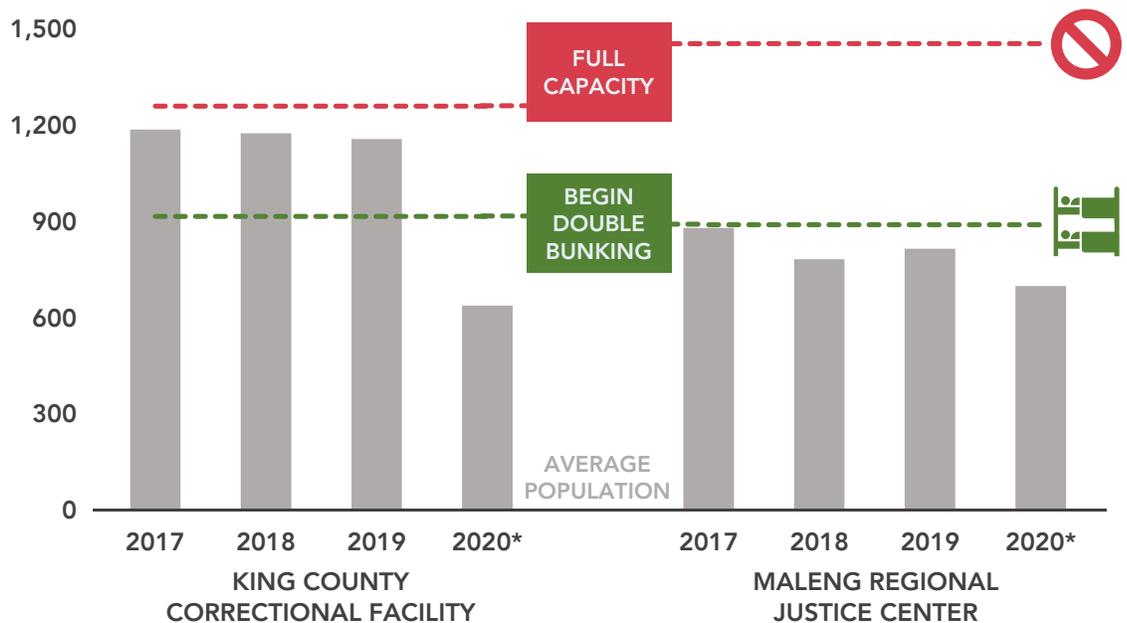
Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data.

KCCF gives less personal space to people in custody

People in custody at KCCF tend to have less personal space than people at MRJC, increasing interpersonal conflict. Double-bunking refers either to two people being assigned to a single cell with a two-person capacity or more than 10 people being assigned to a “dorm style” room that has a 20-person capacity. In other words, a single bunk would mean that for each bunk bed there is only one person sleeping in it, whereas double-bunking means one person on each the upper and lower bunk. MRJC does not have dorm style rooms, while KCCF’s older design has a mix of two-person cells and dorm style rooms. Double-bunking in a two-person cell can be more dangerous than in a dorm style room when two people are involved in conflict. This is because in a two-person cell there would be no other people to de-escalate, call for help, or act as a witness.

Over the last three years, DAJD has consistently double-bunked people in custody at KCCF, while keeping MRJC single-bunked (see exhibit L).⁵ DAJD uses KCCF to house people with higher security classifications and greater healthcare needs, which may increase the need for personal space at KCCF. Nevertheless, the Seattle jail’s indirect supervision model has a higher ratio of people in custody to corrections officers, meaning incidents could more likely go undetected.

EXHIBIT L: King County Correctional Facility was doubled-bunked until the pandemic, then single-bunked when the population dropped.



*2020 is April through December 2020 to reflect the reduced population during the pandemic.

Notes: Limits indicate facility capacity; however, depending on the mix of the population (e.g., the number of women, people in different security levels, etc.), some people may be double-bunked before the single bunk limit is passed or the facility may run out of beds before the full capacity limit is reached.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data.

⁵ This is with the exception of one four-month period when facilities improvements were underway in 2019.

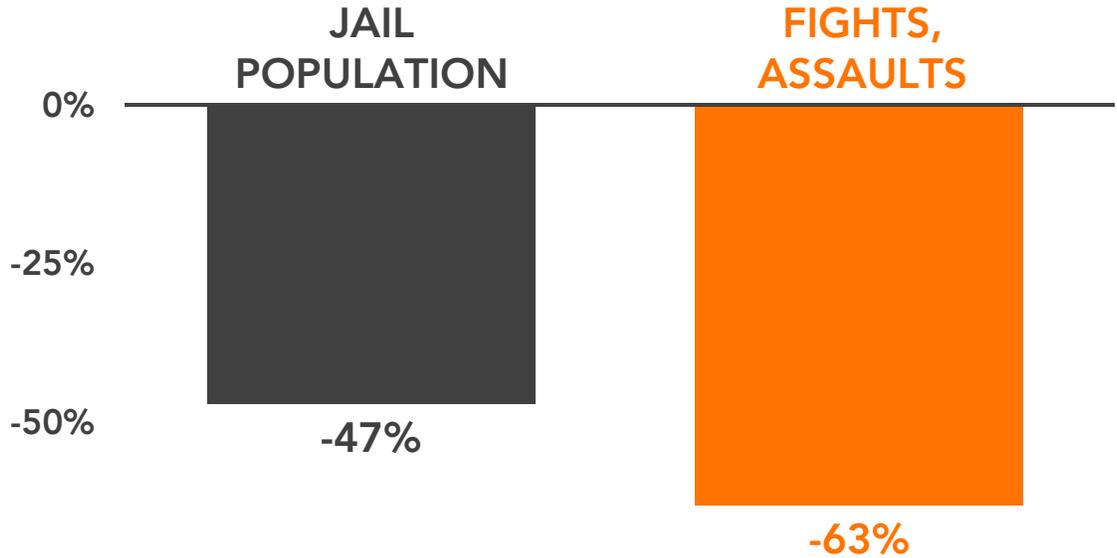
Social distancing linked to reduced fights, assaults

The number of fights and assaults among people in custody fell dramatically in 2020, as social distancing reduced double-bunking at KCCF. In the second quarter of 2020, the population of KCCF dropped by half compared to the last three years.⁶ This corresponded to a 60 percent decrease in fights and assaults combined. The second quarter of 2020 was also the first time since before 2017 that the ADP at KCCF was low enough to ensure no one was double-bunked (see exhibit L). In contrast, MRJC saw a 15 percent decrease in population and only a four percent decline in fights and assaults. The limited impact of the population change on violent incidents at MRJC may be because MRJC was already single-bunking people in custody prior to the pandemic. Corrections officers we interviewed said reduced population has helped to lower the amount of violent incidents by giving people in custody more personal space, lessening general frustrations from living in close quarters, and reducing the ratio of people in custody to corrections officers. The reduction in fights and assaults may also be related to operational changes to increase social distancing, such as limiting the total number of people allowed in dayrooms at a given time. These changes reduced the movement of people within the facility. Effects may be mixed since, as people in custody reported, increased social distance helps lessen interpersonal conflict and increases safety from infection but can increase stress due to the lack of meaningful activities.

The County plans to keep the ADP across both jails at 1,300 going forward and to close a floor of KCCF effective July 1, 2022. This closure is likely to lower KCCF's single bunk capacity by 17 percent, by reducing jail beds from 918 to 766 beds. Reaching target population levels may require several actions spanning multiple justice agencies. For example, limiting the jail population may require law enforcement agencies and prosecutors to divert or release people from jail who present low risks to public safety, courts to revise their sentencing rules, or jail staff to reduce sanctions that extend the length of time people spend in custody through the "loss of good time." See exhibit B for details on which agency controls which aspect of the criminal justice process. If population levels are not kept as low as planned, the closure of the floor would likely cause DAJD to resume double-bunking and lead to more violent incidents in the jails.

⁶ The need for social distancing amid the COVID-19 pandemic caused the decline in the county's combined ADP across both jails to 1,300 since April 2020, compared with 2,000 in 2019. The King County Prosecuting Attorney worked with justice partners to reduce the population by not putting people in jail for allegations that they committed non-violent crimes.

EXHIBIT M: Reducing the population drove an even larger reduction in fights and assaults at KCCF, as DAJD suspended double-bunking in response to the COVID-19 pandemic.



Note: Jail population is the average daily population (ADP) at the King County Correctional Facility (KCCF) in Seattle. Fights and assaults are those between people in custody and do not include those involving a staff member. This chart represents the comparison of actual numbers observed in the second quarter of 2020 compared to the expected number based on a weighted average of counts in the second quarters of 2017, 2018, and 2019. At KCCF, in quarter two of 2020, there was an ADP of 626 and 37 fights and assaults compared to an expected 2020 ADP of 1173 and expected weighted average of 99 fights and assaults projected from trends of the 2017–2019 period.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention (DAJD) data.

Social distancing may reduce sexual violence

Sexual victimization often happens inside double-bunked cells, making it difficult for the jail to prevent abuse and hold people accountable. In a review of reports from DAJD’s Sexual Assault Incident Review Committee, we found that at least 12 of 22 (55 percent) of substantiated or unsubstantiated cases of sexual victimization happened inside jail cells at KCCF.⁷ DAJD does not install cameras in jail cells. This means that there is no collection of video evidence of sexual assaults that happen between people in the same cell. As a result, sexual victimization is less likely to be proven when it happens between people in custody than when it involves jail staff.⁸ Therefore, reductions in double-bunking may have more of an impact in reducing sexual victimization than installation of more cameras.

⁷ “Substantiated” means investigated and determined to have happened; “unsubstantiated” means investigated but there is not enough evidence to determine whether it happened or not. DAJD also logs cases as “unfounded” (meaning investigated and determined to have not happened) and “undetermined” (meaning still under investigation).

⁸ Nationally, the ratio of substantiated to unsubstantiated cases is about 3 to 1, which is similar to DAJD’s ratio for staff-involved cases, but far from the rate for cases involving only people in custody, 12 to 1.

One officer we interviewed recounted a sexual assault that happened when officers left cell doors open while people in custody had access to the dayroom. In response, the officer said DAJD established a policy of closing cell doors when people are in the dayroom. However, if people were double-bunked in a two-person cell, he noted, this preventative measure would be ineffective, leading to increased risk of assault and greater stress for people in custody.

Recommendation 7

The Department of Adult and Juvenile Detention should work with justice partners to develop, document, and implement a plan to manage the population of county jails with the goal of no double-bunking of cells.



Demand for Psychiatric Housing Exceeds Capacity

SECTION SUMMARY

The demand for psychiatric care in the jail exceeds its capacity, creating barriers to providing consistent care. One floor in the KCCF is specifically designed to provide psychiatric housing. However, DAJD has increasingly been forced to house people with serious mental illness on other floors, which are less accessible to medical staff and not designed to meet the population’s needs. Corrections officers on these other floors reported not having enough training to successfully care for people in need of psychiatric care. Other jail staff noted that people with mental illness can be targeted for violence. While the need for psychiatric housing increased 27 percent between 2017 and 2019, the jail’s capacity has stayed the same. We recommend that DAJD provide more training to staff on working with people with serious mental illness, ensure people receive appropriate care regardless of location, and regularly monitor the number of people in custody who need psychiatric housing but are not housed on the psychiatric unit.

METHODS

- Analyzed DAJD’s daily counts of all people in need of psychiatric housing and actually housed in psychiatric housing between 2017 and 2019
- Interviewed corrections officers, medical staff, and people in custody about their experiences with mental health care inside the jail

Seattle jail has limited space to meet diverse needs

The housing needs of the jail population change daily, leading officers to frequently move people and increasing the likelihood that individual needs are not met. Each person in custody has their own housing needs, in terms of both security level and psychiatric or medical care. Across both jails, the median length of stay in custody is two days, which means that the overall makeup of the population is continually changing. Since there is not enough excess capacity to adapt to the changing needs of the population, classification staff must frequently repurpose different areas of the jail and ask officers to move people from area to area. One DAJD employee referred to the constant reshuffling to find space as akin to a “Tetris game,” while another called it a “Rubik’s Cube.”

Some people with mental illness lack appropriate housing

The number of people requiring psychiatric housing has increasingly exceeded the jail’s capacity on the seventh floor of KCCF, creating substantial challenges to providing services, care, and safety. At the Seattle jail, cells on the seventh floor have been retrofitted to be suicide resistant;⁹ and there is a range of different housing options, from group housing to more restrictive housing, based on the security level, gender, and needs of each individual. However, due to the limited number of beds in each type of psychiatric housing unit, staff may be unable to place people on the seventh floor in the lowest security-level housing. This means that some people with serious mental illness can be placed in overly restrictive housing simply because there is not enough space in psychiatric group housing.

Lack of space means that DAJD has increasingly housed people that require psychiatric housing in areas of the jail that are not designed to provide treatment. When there is insufficient space on the seventh floor, DAJD houses people with serious mental illness on other floors of the jail. This is called “overflow,” and it causes a variety of problems for staff from both DAJD and JHS. For instance, living areas on floors other than the seventh floor have not been retrofitted to prevent suicide (see section titled “Deaths in Custody Happen Every Year” for more information on deaths in King County jails). In addition, people in overflow housing have less access to the health professionals who are stationed on the seventh floor.

Officers not prepared for needs of people in overflow housing

People with serious mental illness in overflow housing are often supervised by corrections officers who are not prepared to accommodate their special needs. Officers not stationed on the seventh floor are not as accustomed to interacting with people who have serious mental illness. For instance, when people with serious mental illness are housed in overflow, a corrections officer might release them from custody without connecting them to care. Several corrections officers we interviewed said they wanted more training on how best to serve people with mental illness. Other officers we interviewed said they do not receive enough information from medical or psychiatric staff to anticipate the needs or behaviors of people transferred out of psychiatric housing. The National Commission on Correctional Health Care recommends that officers should be educated on recognizing the signs and symptoms of mental illness and procedures for suicide prevention using curriculum reviewed by mental health staff. DAJD does not set annual in-service training requirements for mental and behavioral health beyond suicide prevention. Due to changes in the field, California’s board of corrections updated its core training program in 2019 to expand mental and behavioral health topics.

⁹ DAJD lost its accreditation from the National Commission on Correctional Health Care (NCCHC) for both KCCF and MRJC in December 2014. NCCHC reaccredited KCCF in February 2018; MRJC was up for review for reaccreditation in 2020. MRJC does not have a psychiatric unit, so all incarcerated people with serious mental illness are transferred to KCCF.

Recommendation 8

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement annual in-service training requirements for corrections officers on the mental and behavioral health of people in custody.

Recommendation 9

The Department of Adult and Juvenile Detention and Jail Health Services should develop, document, and implement policies and procedures for what information classification, corrections, medical, and psychiatric staff will share as well as when and how to share that information to ensure proper management and treatment of people with mental illness.

Reports of violence against people with mental illness

Housing people with serious mental illness outside of psychiatric housing units may increase violent incidents, but data is not available to confirm anecdotal reports. According to the American Jail Association, “the treatment of mentally ill individuals in prisons and jails is critical, especially since such individuals are vulnerable and often abused while incarcerated.” Many of the corrections officers and people in custody that we interviewed said that people with serious mental illness can be targets for violent incidents when placed in group housing. For example, if a person with mental illness disturbs the sleep of others in the same unit, someone may assault them in order to have the jail remove them from group housing. People with serious mental illness may also fail to understand or comply with instructions, leading to uses of force by corrections officers who may not be aware of the person’s potential contraindications. Unfortunately, the jail’s incident data does not identify which people are in overflow housing, so it is not currently possible to quantify the extent to which the use of overflow increases violent incidents in the jail.

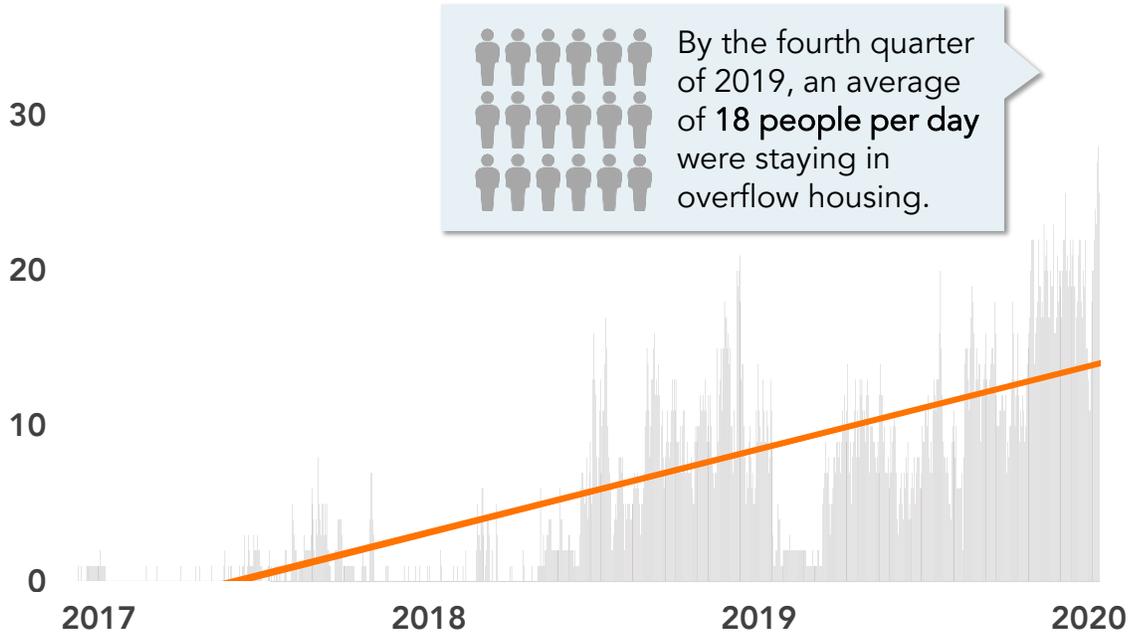
Population of people with mental illness grew faster than appropriate housing

The resources for psychiatric housing have not expanded in step with the increasing number of people in custody who need it, increasing the number of people without consistent care. In 2017, the use of overflow capacity was still relatively uncommon; there were no people in overflow housing for 60 percent of the year. When overflow housing was necessary, it was for fewer than two people on average. Increases in homelessness, substance abuse, and mental illness in the county at-large have contributed to an increased demand for mental health services in the jail. According to the American Jail Association, “most of the mentally ill individuals in prisons and jails would have been treated in the state psychiatric hospitals in the years before the deinstitutionalization movement led to the closing of the hospitals.”

Between 2017 and the fourth quarter of 2019, the need for psychiatric housing in the jail increased by 27 percent, but the number of beds in the psychiatric housing unit did not increase (see exhibit N). Since May 2018, there has been at least one person in overflow housing every single day. By the fourth quarter of 2019, there were on

average 18 people in overflow housing each day. Even though the overall KCCF population has decreased during the pandemic, there were still an average of 11 people in overflow housing. Ten percent of the ADP at KCCF required psychiatric housing in 2019 (up from eight percent in 2017).

EXHIBIT N: The number of people in overflow psychiatric housing has increased over the past three years, while the capacity of the psychiatric housing unit has stayed the same.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data. This chart shows the number of people in overflow housing each day between 2017 and 2019.

DAJD does not know cause of overflow

While many DAJD and JHS staff we interviewed expressed concern about the lack of psychiatric capacity and the increasing use of overflow, no one could definitively identify the cause. JHS staff hypothesize that psychiatric overflow is caused at least in part by longer wait times for federally mandated competency evaluation and restoration. According to Washington State Department of Social and Health Services, Washington is in the midst of a mental health crisis where demand for all forms of mental health services far outweigh what is available. The number of in-jail orders for competency evaluation and restoration increased more than 80 percent to 1,831 in 2019 from 996 in 2015. KCCF is one of the largest providers of psychiatric beds in the state.

Recommendation 10

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement a plan to ensure that people housed in psychiatric overflow receive care commensurate with those housed in designated psychiatric housing.



Racial Disparities Exist in Housing, Discipline

SECTION SUMMARY

Black people are more likely to face negative consequences in jail such as higher security housing, more rule infractions, and more severe punishments, demonstrating that racial inequities exist in jail operations. We found that these inequities were due in part to systemic racism in the criminal legal system outside of DAJD’s control. We also found racial disproportionalities in areas more directly within DAJD’s control, such as in the decisions that determine where people are housed, whether they are cited for rule violations, and how severely they are punished for those violations. We recommend that the jail revise its housing classification scores and sanctions criteria to reduce racial inequities and more closely monitor outcomes to ensure that all people in custody are housed in the least restrictive environment possible.

METHODS

- Analyzed the available demographic data for 105,527 bookings (representing 98.4 percent of all bookings) into King County jails between 2017 and 2019. This data categorized people into four racial groups (American Indian or Alaska Native, Asian or Pacific Islander, Black or African American, and White) and two gender groups (male and female). Due to data reliability concerns, we did not include ethnicity in our analysis. DAJD data does not track nonbinary gender data.
- Analyzed the available demographic data for 76,057 security scoring and classification decisions for 30,987 individuals (representing 98.3 percent of all such decisions) between 2017 and 2019.
- Analyzed the available demographic data for 17,491 disciplinary actions (representing 98.8 percent of all disciplinary actions) in King County jails between 2017 and 2019.

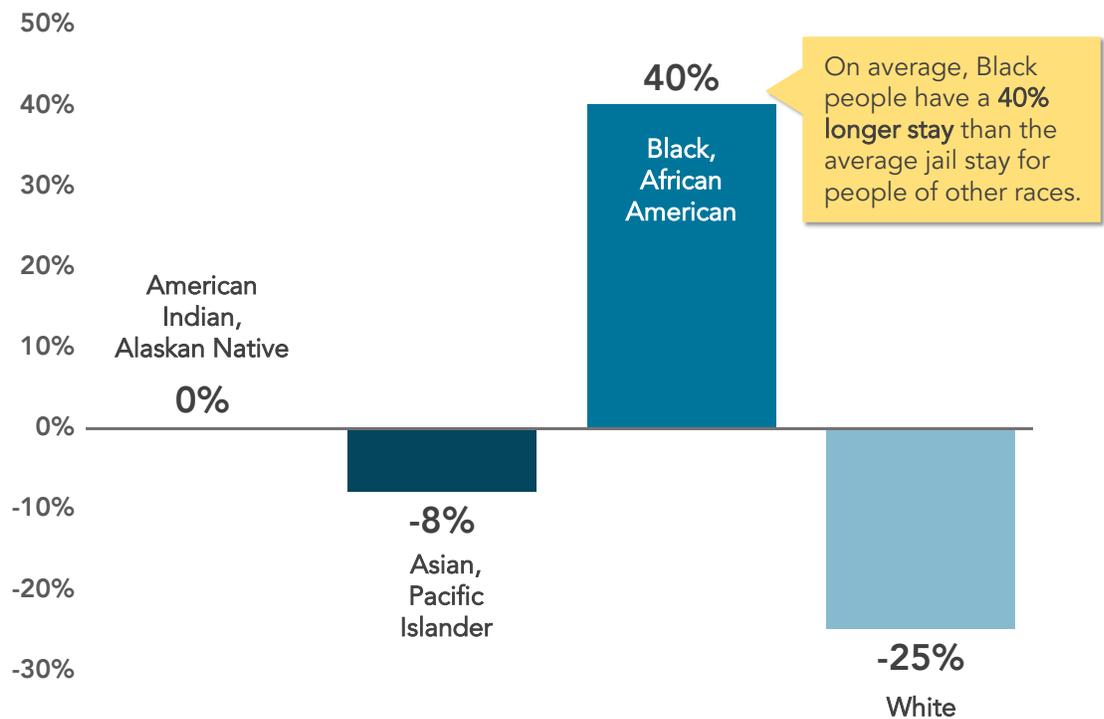
Racial disparities outside jail impact life inside

Black people are disproportionately more likely to suffer negative consequences from the criminal legal system, increasing their time in custody. Black people make up only seven percent of the population in King County but average over 36 percent of the adults incarcerated in King County adult facilities. The average length of time that Black people stay in King County jails is 40 percent longer than other people in custody (see exhibit O).¹⁰ In contrast, the average stay in jail for White people is 25 percent shorter than for other people. Compared to other people who come to the jail, Black people on average have more serious charges, more previous convictions, and more experiences with incarceration.

¹⁰ We found that the length of stay for women who are American Indian or Alaska Native was similar to women who are Black, but this was not true when comparing men or when combining men and women together.

DAJD does not have authority or control over the disproportionalities mentioned above; they are instead a result of a combination of decisions by law enforcement officers, prosecuting attorneys, and judges. However, DAJD uses these disproportionate outcomes as criteria to decide where to house people in jail, perpetuating inequities in the criminal legal and juvenile justice systems.¹¹ DAJD’s housing decisions ultimately determine how restrictive a person’s incarceration environment will be.

EXHIBIT O: The average length of stay for a Black person in King County jails is 40 percent longer than the average stay for people of other races.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention (DAJD) data. This chart shows the percentage difference in the average length of stay compared to people of other races. DAJD does not decide how long people stay in jail. The percentages are based on the comparative amount of time a person spent in custody for 100,756 separate bookings between 2017 and 2019.

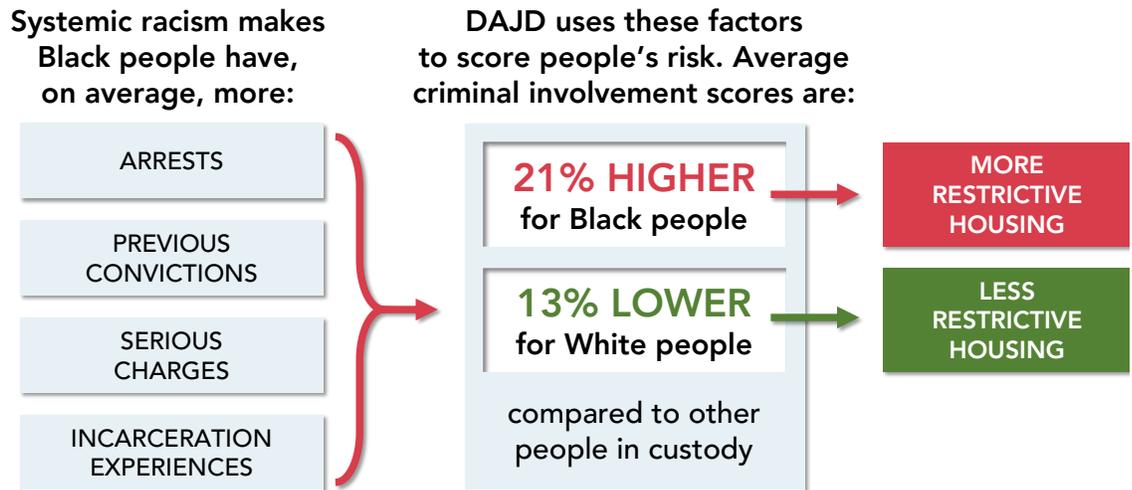
¹¹ Classification staff treat sentences served in both adult and juvenile institutions the same when assessing an adult’s incarceration experience.

Criminal involvement scores perpetuate racial inequities

DAJD assigns higher risk scores to people who are Black, which leads to disproportionately putting Black people in more restrictive security levels. DAJD assigns a security classification to each person based on a combination of two scores: criminal involvement and management risk. Criminal involvement scores are based on the person’s history with the criminal legal system; these can include scores for the seriousness of their charged offense, the number of previous convictions they have, as well as their incarceration experience.¹²

DAJD states that these scores are “objective” because classification staff do not have discretion when assigning them to individuals. However, research shows that Black people in the United States are more likely than White people to be arrested; once arrested, they are more likely to be charged with crimes that carry heavier sentences; once charged, they are more likely to be convicted; and once convicted, they are more likely to experience lengthy prison sentences.¹³ These systemic factors compound on each other to inflate the average criminal involvement score for Black people. On average, criminal involvement scores are 21 percent higher for Black people than for other people who are incarcerated. In contrast, this score is 13 percent lower on average for White people than for other people (see exhibit P).

EXHIBIT P: Systemic racism in the criminal legal system leads to a higher average criminal involvement score for Black people coming to the jail, which leads to more restrictive housing.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention (DAJD) data. This chart shows the percentage difference in the average criminal involvement scores for White people in custody compared to other people, and for Black people in custody compared to other people. The percentages are based on the average criminal involvement scores of 30,987 individuals booked between 2017 and 2019.

¹² There are also risk scores for the person’s escape history and whether another locale has grounds to detain them; unlike the others, these two scores are not disproportionately higher for Black people.

¹³ See, for example, the Sentencing Project’s *Report to the United Nations on Racial Disparities in the United States Criminal Justice System* (2018).

The clear racial disparity in the scores means that the rubrics used to estimate risk have not been designed to produce an objective measure of an individual's risk. For example, while these criteria are quantitative, they do not necessarily predict whether a person will follow jail rules or act violently. Corrections staff noted that people with past incarceration experience may actually comply with jail rules more than others because they are more familiar with the system and the potential for punishment resulting from bad behavior. In contrast, risk assessment criteria provided by the NIC does not include incarceration experience as a factor. Instead, it considers whether the individual has been sentenced or is pre-trial, whether they have substance use issues, as well as their age, employment, residence, and family ties. During interviews, corrections officers and people in custody often reported that younger people in custody were more likely to be involved in incidents because they wanted to prove themselves in the jail environment.¹⁴

Recommendation 11

The Department of Adult and Juvenile Detention should revise its criminal involvement scoring criteria to adjust for systemic racial inequities by removing incarceration experience and aligning with best practices.

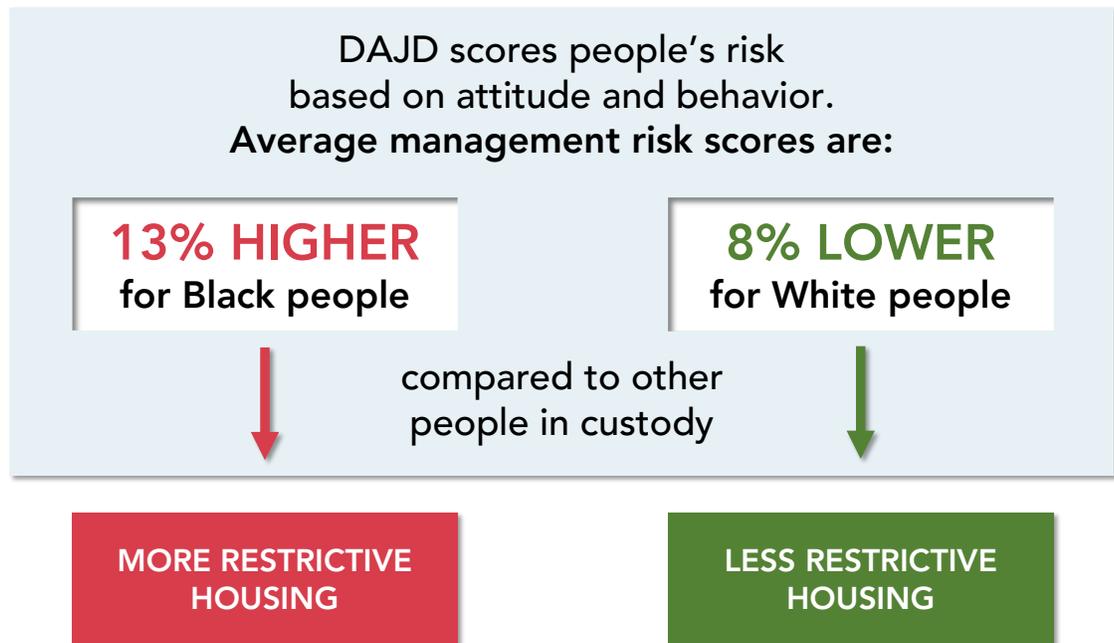
Management risk scores are subjective and show bias

DAJD uses subjective criteria when classifying a person's risk and security level, increasing the likelihood of inequitable outcomes. Before assigning a person's housing security level, DAJD combines their criminal involvement score with a management risk score that assesses the individual's attitude and disciplinary history. This second score is at the discretion of jail classification staff, which leaves space for additional bias to be introduced into the system. In 2011, NIC evaluated the classification system at King County jails and found that staff and supervisors agreed that the management risk score was applied subjectively. NIC recommended that DAJD develop "objective criteria" for the score based on the person's specific disciplinary history using quantifiable targets (e.g., having three or more violent infractions within the last five years).¹⁵ However, DAJD did not add quantifiable targets to its management risk rubric. Current criteria still rely on staff subjectivity to determine, for example, if someone was "occasionally aggressive" or "consistently defiant." We found that the management risk score is on average 13 percent higher for Black people than other people, and eight percent lower on average for White people than for other people (see exhibit Q). NIC also recommends that jails have systems for evaluating their classification processes. DAJD has not revised its criminal involvement scoring system in over 10 years and last reviewed its management risk score with NIC in 2011.

¹⁴ Thirteen of 22 corrections officers and five of 16 people in custody interviewed said younger people were more likely to be involved in violent incidents.

¹⁵ The NIC defines an objective classification system as one that is based on a consistent set of criteria and a systematic method of applying the criteria to classification decisions; DAJD's management risk score has a consistent set of criteria but does not have the means to apply its criteria systematically.

EXHIBIT Q: Like criminal involvement scores, DAJD’s management risk scores were higher on average for Black people and lower on average for White people.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention (DAJD) data. This chart shows the percentage difference in the average management risk scores for White people in custody compared to other people, and for Black people in custody compared to other people. The percentages are based on the average management risk scores of 30,987 individuals booked between 2017 and 2019.

Recommendation 12

The Department of Adult and Juvenile Detention should develop, document, and implement a revised management risk scoring rubric using quantifiable measures to reduce bias.

Recommendation 13

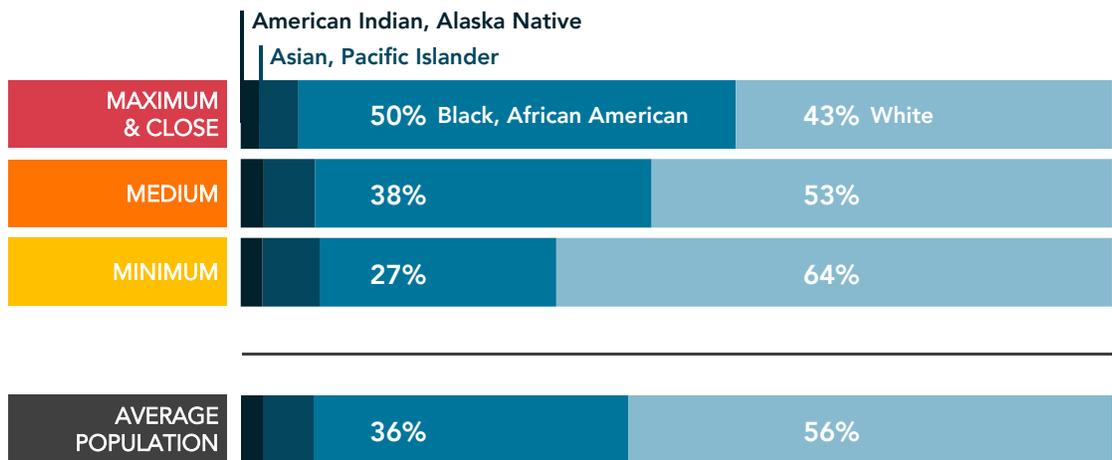
The Department of Adult and Juvenile Detention should develop, document, and implement a system for evaluating effectiveness and racial bias in its risk scoring system and make adjustments as needed to reduce racial disparities.

DAJD puts Black people in higher security levels

Using these risk scores, DAJD classifies Black people into higher security housing more often than other people who are incarcerated, increasing their risk of negative health impacts from incarceration. The jail has four security levels for housing that are increasingly restrictive: minimum, medium, close, and maximum. In 2011, the NIC found no evidence of “over-classification,” which means putting people in a higher security level than warranted. However, the NIC did not look at the number of people in different security levels broken down by race, because it found that DAJD’s computer systems could not report that information. We found that DAJD placed 29 percent of Black people in close or maximum security, compared to approximately 17 percent of people of other races.

This is the indirect impact of the disproportionality observed in the two risk scores discussed above. Research has shown that restrictive housing, or solitary confinement, causes psychological harm and could increase the risk of death after release. While Black people make up 36 percent of the population of the two county jails, they make up 50 percent of the population in close and maximum security and 27 percent in minimum security (see exhibit R). Conversely, White people are overrepresented in minimum security and underrepresented in close and maximum security.¹⁶ DAJD staff and leadership do not regularly review racial breakdowns by classification level. According to the NIC, overclassifying puts more dangerous people in contact with more vulnerable people, and poor classification systems can lead to more infractions and violence.

EXHIBIT R: Staff’s use of biased scores disproportionately assigned Black people to higher security levels and White people to lower security levels.



Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data. This chart is based on 30,935 people assigned to classification security levels between 2017 and 2019, weighted by each person’s time spent in custody.

¹⁶ Classification staff can override the security level of people in custody. We analyzed these overrides and did not find that these decisions had significantly increased or decreased the racial disparity in classification produced by the risk scores.

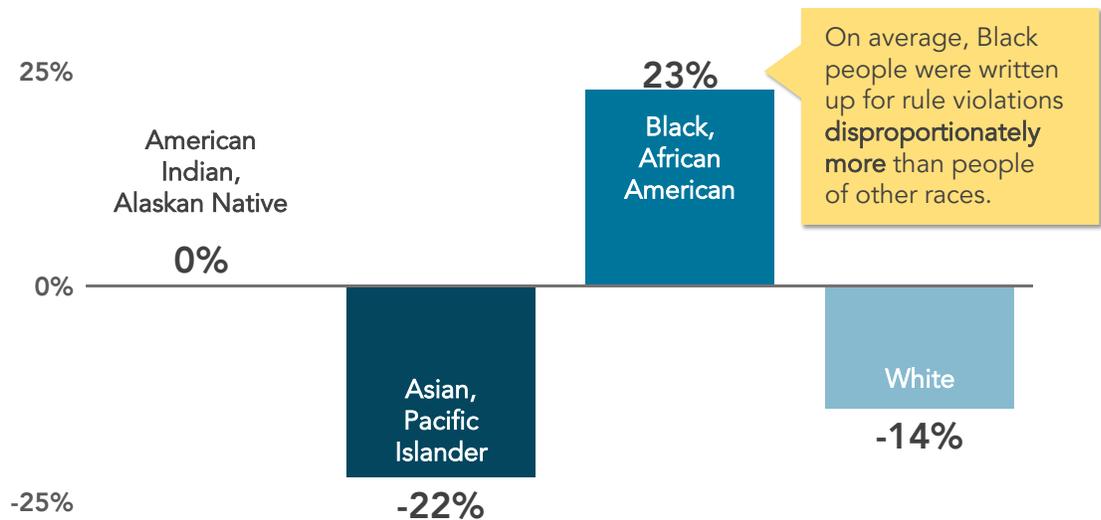
Recommendation 14

The Department of Adult and Juvenile Detention should document checks of the racial makeup of its security classifications to detect racial disparities at least annually and take steps as needed to reduce these disparities.

DAJD infracts Black people more often

Corrections officers wrote up a disproportionately high number of Black people for rule violations, increasing the amount of time they spend in post-disciplinary restrictive housing. Restrictive housing involves removal from the general population and a limit on out-of-cell time to one hour a day. We found that, among people in custody, Black people were significantly more likely than White people to be infracted for violent incidents, even when controlling for gender, age, and psychiatric needs, and the total number of days spent in the jail. On average, Black people received 23 percent more infractions than people of other races (see exhibit S).¹⁷

EXHIBIT S: On average, corrections officers write up Black people for rule violations disproportionately more than people of other races.



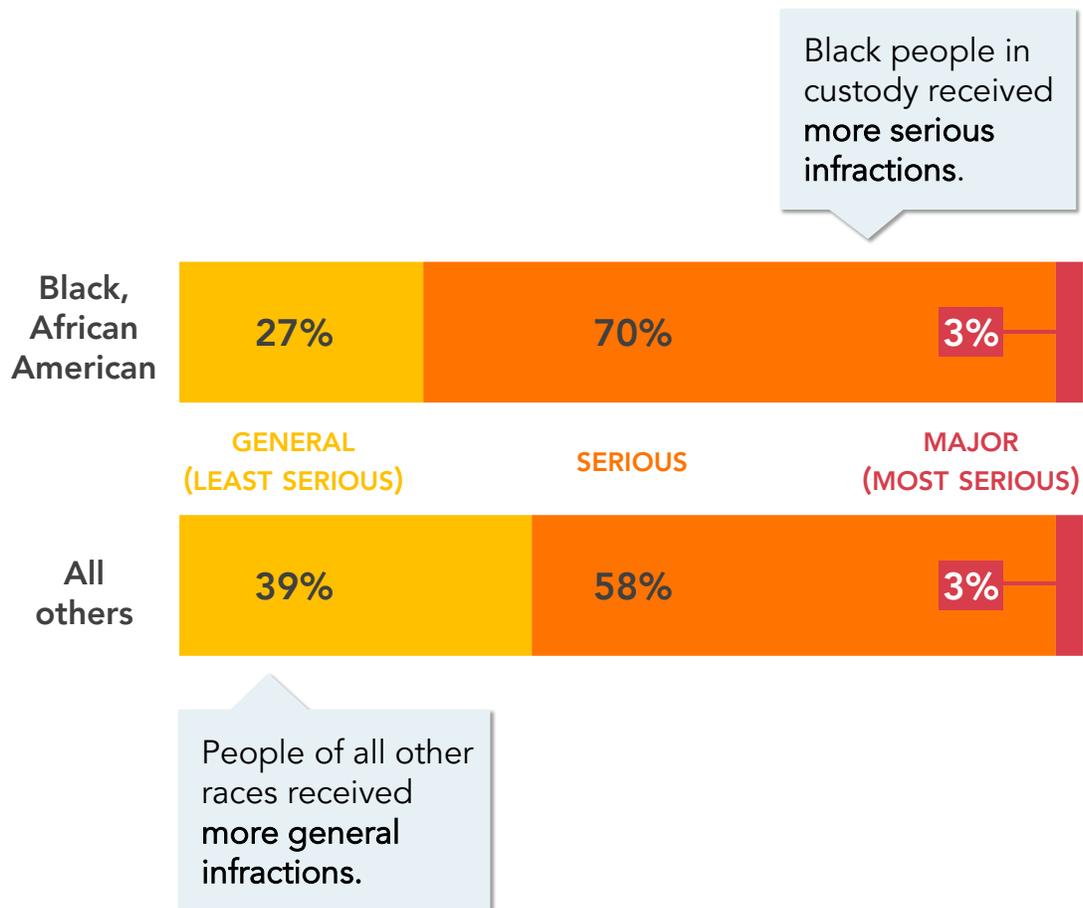
Note: This chart is based on a total of 17,491 infractions in King County jails between 2017 and 2019. Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data.

¹⁷ Part of this disparity is that more Black people receive infractions compared to other populations. In addition, Black people who receive infractions also receive more infractions per person compared to people of other races who receive infractions (on average, 11 percent more per person).

DAJD gives Black people more serious infractions

Corrections officers gave infractions that carry harsher sanctions to Black people more often on average than other people in custody. There are three levels of rule violations: general, serious, and major (in order of increasing severity). For some rules, corrections officers use discretion about what level of severity to use. For example, physical altercations might be seen as wrestling or horseplay (which are general violations) or as a fight (which is a serious violation). Among people who received infractions, White people were 15 percent more likely to receive general (lowest severity) infractions than other people on average. Conversely, Black people were, on average, 47 percent more likely to receive serious or major (higher severity) infractions compared to all other people. Another way to look at this disparity is shown in exhibit T, below. Of all infractions that corrections officers gave to Black people, 27 percent were general, and 73 percent were serious or major. By comparison, among infractions given to White people, 39 percent were general, and 61 percent were serious or major. Corrections officers may give Black people more severe levels of infractions due to implicit or explicit bias; having more objective distinctions and definitions about what constitutes general or serious violations may reduce racial disparities.

EXHIBIT T: Corrections officers gave Black people disproportionately more serious infractions.



Note: Based on a total of 14,173 people with infractions between 2017 and 2019.
 Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data.

Recommendation 15

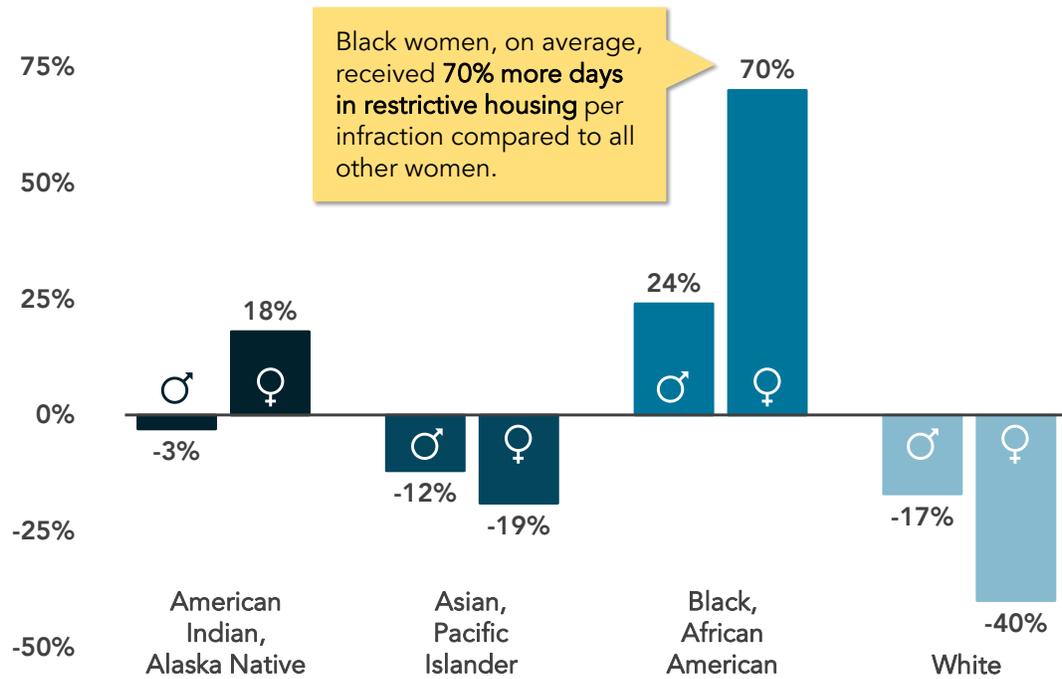
The Department of Adult and Juvenile Detention should revise, document, communicate, and implement its rule descriptions so that corrections officers can fairly and consistently distinguish between general and serious infractions.

DAJD gives
White people
lighter
punishments

Black people on average receive disproportionately more days in restrictive housing as punishment for infractions. DAJD policies allow classification staff to impose days in restrictive housing as punishment for serious and major infractions. Staff have discretion to choose the number of days imposed within a range laid out in policy for each type of infraction. Black men receive 24 percent more days in restrictive housing per infraction on average compared to other incarcerated men, while White men receive 17 percent fewer days per infraction than other men (see exhibit U). Black women receive 70 percent more days in restrictive housing per infraction on average than other women, while White women receive 40 percent fewer days per infraction than other women.

The fact that Black people receive multiple infractions per person more frequently than others could be a partial reason why they also receive higher sanctions (since jail staff indicated that punishments increase for repeat offenders). However, when we investigated this possibility, we found that receiving more infractions only accounted for around one-third of the disproportionate number of punitive days in restrictive housing.

EXHIBIT U: Classification staff gave Black people more days in restrictive housing per infraction, on average.



Note: This chart is based on 10,096 people with infractions in King County jails between 2017 and 2019. This chart shows days in restrictive housing imposed per infraction on average compared to other people of the same gender but different race.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention data.

Recommendation 16

The Department of Adult and Juvenile Detention should revise restrictive housing sanctions to either remove day ranges for a single infraction type or to add quantitative criteria for when to apply specific numbers in the range.

Recommendation 17

The Department of Adult and Juvenile Detention should document reviews of its infractions and sanctions data by race to detect racial disparities at least annually and take steps to reduce any disparities.

DAJD does not address racial disparities

DAJD does not have systems in place to acknowledge, detect or address racial disparities, which allows systemic racism to disproportionately harm Black and Indigenous people inside the jail. DAJD staff do not disaggregate data by race and do not regularly monitor how often sanctions are applied or at what level of severity. Most corrections officers that we interviewed also stated that race was not a factor when it came to violent incidents in the jail. The fact that disparities exist in risk scoring, housing, and discipline while officers and staff may not perceive them suggests a lack of awareness of racial inequities. As of November 2020, DAJD had never held a training on racial bias or equity and social justice, which may contribute to these racial inequities. DAJD supervisors and managers attended pro-equity workshops in December 2020 and DAJD said that it plans to hold a training on equity and social justice in 2021, and that it has not previously offered relevant training due to a lack of budget. That said, the disparities we found are systemic in nature and their causes go beyond the bias of any individual. While many of the causes of systemic racism are outside the control of DAJD, their effects continue to exist within the jail; therefore, DAJD has a responsibility to the people in its custody to mitigate those harms to the extent possible. New training requirements for law enforcement officers in Washington, include recurring in-service training of at least 40 hours every three years on de-escalation and mental health topics including implicit and explicit bias, historical intersections of race and policing with a focus on Black communities, and cultural diversity and ethnic disparity. These changes align with the County's strategic equity and social justice goals that lead with race as well as the Office of Risk Management Service's identification of systemic racism as one of the County's biggest risks.

Recommendation 18

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements on bias and racial justice for corrections officers and other staff whose decisions affect people in custody.

Recommendation 19

The Department of Adult and Juvenile Detention should incorporate the risks of systemic racism as a component of its comprehensive risk management strategy from Recommendation 1.



Deaths in Custody Happen Every Year

SECTION SUMMARY

Over the past decade, between one and six adults have died in county jails every year. Some of these deaths may have been preventable. Based on a review of four years of data, we found that natural causes were the most common manner of death, followed by suicides and accidents. Several natural and accidental deaths were also drug-related. No one completed suicide in the psychiatric housing units where cells are suicide resistant. DAJD and JHS work with local agencies to review all deaths in custody to identify potential causes and areas for improvement. Their reviews suggest a need for clearer guidance on responding to medical emergencies and treating opioid addiction. IIU data suggests that security checks may also require further oversight. We recommend that DAJD and JHS work together to retrofit more cells to prevent suicide, increase oversight of security checks, and increase readiness to respond to medical emergencies including opioid withdrawal.

METHODS

- Compiled counts of all deaths in custody and jail population from 2009 to 2020
- Reviewed death investigations and detailed logs of deaths in custody from 2017 to 2020 to analyze manners, causes, and circumstances of death

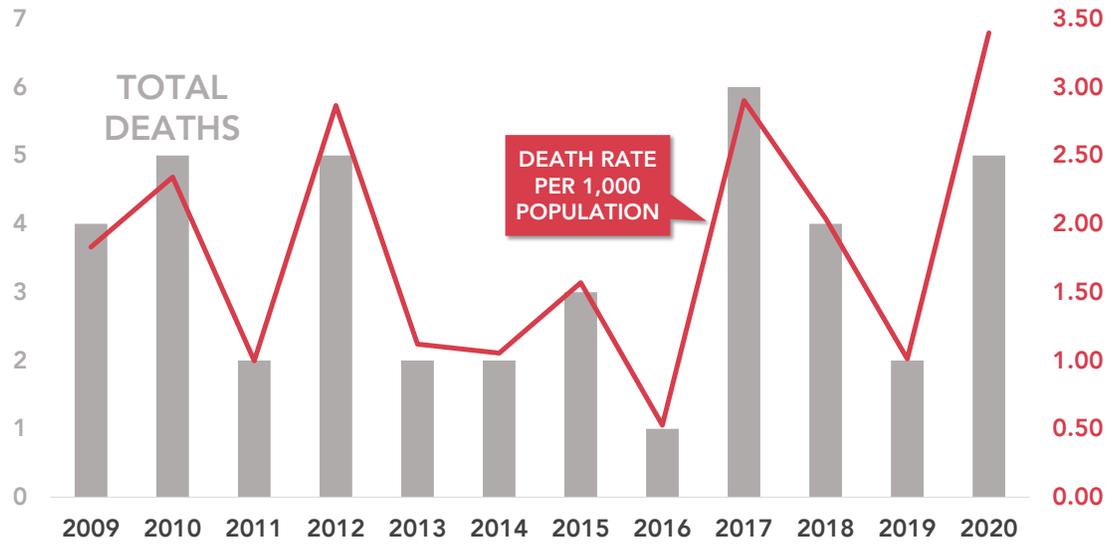
People die in local jails every year

Since 2009, at least one person has died each year in the County's adult jails, leading to losses of life that affect the community, corrections officers, and people in custody (see exhibit V). The mortality rate in King County jails is higher than the national average and on par with the average for Washington state. From 2009 to 2020,¹⁸ DAJD's mortality rate was 1.78 deaths per 1,000 people in custody, compared to rates of 1.46 and 1.76 deaths per 1,000 people incarcerated in local jails nationally and across the state, respectively.¹⁹ When disaggregated by facility, KCCF's mortality rate is nearly twice that of MRJC, i.e., 2.13 deaths versus 1.23 deaths per 1,000.

¹⁸ 2020 data is as of December 15, 2020, from DAJD and JHS.

¹⁹ National and state data for 2009 to 2019 is from Reuters.

EXHIBIT V: People die in county jails every year, despite zero-tolerance aims.



Note: Total deaths for 2020 is as of December 15, 2020.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention and Jail Health Services data (2017-2020) and Reuters data (2009-2019).

Some deaths may be preventable

The single most common manner of death reported by the King County Medical Examiner’s Office was natural, but some deaths may have been preventable.

Some research refers to certain types of deaths as jail-attributable because the circumstances that led to the death were more attributable to the jail setting than the decedent’s own attributes. This research categorizes suicides, drug overdoses or withdrawals, accidents, or any death in the first 72 hours in custody as jail-attributable deaths. Using this definition, 64 percent of deaths in King County adult jails were jail-attributable between 2017 and December 2020 (see exhibit W).

EXHIBIT W: Deaths in custody by manner, January 2017 to December 2020.

Manners of death	Count	Selected notes
Natural	7	<ul style="list-style-type: none"> three involving drug overdose or withdrawal two at Maleng Regional Justice Center (MRJC)
Suicide	4	
Accident	4	<ul style="list-style-type: none"> three involving drug overdose or withdrawal one fall from top bunk (at MRJC)
To be determined	2	Both pending autopsy (at MRJC)
Total	17	<ul style="list-style-type: none"> 12 at King County Correctional Facility five at MRJC
Subset involving drugs	6	<ul style="list-style-type: none"> three accidents: two involving opiates and methamphetamine, one involving cocaine three natural cause: all involving opioid withdrawal

Note: Manners of death are as reported by Jail Health Services per the King County Medical Examiner. Numbers in selected notes column may not add up to the associated count.

Source: King County Auditor’s Office analysis of Department of Adult and Juvenile Detention, Jail Health Services, and Office of Risk Management Services data.

Suicides occurred in units without preventative measures

Between 2017 and 2020, all jail suicides happened at KCCF in cells that were not suicide proof. During this period,²⁰ suicides were a common manner of death among people in custody at the County’s adult jails. Suicide is the leading cause of death among people in jails in Washington state and nationwide.²¹

DAJD retrofitted the psychiatric housing unit to prevent suicide inside KCCF, but not other locations at KCCF or MRJC.²² This may be because retrofitting and extra security checks are costly and unnecessary for the entire population. The psychiatric unit includes special housing for people whom JHS staff have determined to have the most immediate risk of suicide. That said, DAJD data shows that people in custody tried to commit suicide in one restrictive housing unit more often than in some psychiatric housing units. Likely due to the preventative measures, the psychiatric housing unit saw no suicide deaths over the period, while two people completed

²⁰ This is the only period for which we obtained information on cause of death.

²¹ According to national data for 2006 to 2016 from the U.S. Bureau of Justice Statistics and a review of jail deaths in Washington state from January 2005 and June 2016 by poverty advocacy group Columbia Legal Services.

²² DAJD reduced the risk of suicide on its psychiatric housing unit by retrofitting the cells to decrease ability to tie off ligatures, removing porcelain features, and, in some cases, constant one-on-one observation or suicide watch on the unit.

suicide on the restrictive housing unit (eleventh floor), and two more people completed suicide on the eighth floor. This suggests that if the cells where people are housed for restrictive housing and psychiatric overflow are retrofitted, future suicide deaths may be prevented. Research shows that restrictive housing, where people are isolated from other people in custody while inside and outside their cell, is significantly correlated with suicide among people in custody. Isolation can provide an opportunity for self-harm or can be a motivating factor for injury.

Recommendation 20

Based on information from death investigations and best practice, the Department of Adult and Juvenile Detention should work with Jail Health Services to increase the number of cells that are suicide resistant in places used for restrictive housing and psychiatric overflow.

Missed security checks may contribute to loss, injury

Some corrections officers fail to conduct security checks, increasing the risk that medical emergencies are not identified in time to prevent harm. In 2019, DAJD disciplined seven corrections officers at KCCF for not completing security checks, sometimes on many occasions, and falsifying records to say they completed the checks. IIU found in six of the seven cases that the officer violated Code of Conduct 1.00.047 Causing Loss or Injury, which includes endangering the safety of others through carelessness. Internal investigations data does not specify what losses missed security checks led to; however, disciplinary actions taken suggest that DAJD takes these violations seriously.

Missed or falsified security checks may happen more than IIU data shows, increasing the risk of violent incidents going undetected. This is because investigations of single violations uncovered more violations and because checks happen on a 24-hour cycle including at times when officers may be tired or people in custody are sleeping. IIU reviews all cases that internal and external parties bring to its attention but does not conduct routine oversight. Instead, DAJD command staff review logs to ensure officers document security checks at appropriate intervals. Routine and consistent checks are generally more accurate than those performed sporadically to address risks and prevent or detect violations. Added oversight would help ensure that security checks happen as planned. One of the 15 people in custody we interviewed and one of the 22 corrections officers we interviewed said that more frequent security checks could help prevent self-harm. One of the reasons DAJD does not currently conduct random video checks to corroborate documents that can be falsified is that under contract, DAJD can only review video recordings "in connection with a specific concern or a specific incident." Another reason is that it lacks sufficient evidence to do this work consistently across locations because only 49 percent of cameras in DAJD adult facilities are able to record footage.²³

²³ As of 2018, KCCF had 450 cameras with 240 of them able to record, while MRJC has 204 cameras with 80 able to record.

Recommendation 21

The Department of Adult and Juvenile Detention should perform random, regular checks of video footage to ensure that corrections officers perform security checks in line with department policy.

Drug-related
deaths
common

Six, or 35 percent, of the deaths in King County jails between 2017 and 2020 involved drug use or withdrawal, similar to state-level data.²⁴ The medical examiner found the manners of death in these cases to be evenly split between accidents and natural causes. The accidents were caused by acute drug intoxication from opiates, methamphetamine, and/or cocaine. The natural deaths involved opioid withdrawal.

Death investigations found gaps in policies and procedures, communication, and training related to drug-related deaths. For example, in three of the six drug-related deaths, JHS or DAJD noted that there was lack of clarity in roles and responsibilities for responding to medical emergencies. In the other three cases, JHS cited a need for better understanding of opioid withdrawal treatment. In line with best practice, the County reviews all deaths in custody. DAJD and JHS policies require investigation of all deaths of people in custody at KCCF and MRJC by local law enforcement (i.e., Seattle or Kent police), the county medical examiner, and DAJD's Special Investigations Unit. JHS also collects information from JHS staff who responded to the incident and relies on mental health professionals to conduct psychological autopsies in cases involving suicide. DAJD policy requires two hours of annual in-service training for the identification and management of suicidal people in custody. DAJD's General Training Standards leave room for emergent training topics by not including an exhaustive list of topics. Given that four people died of suicide over the three-year period, whereas six people died of drug-related deaths, DAJD should have specific annual in-serve training requirements that relate to preventing drug-related deaths. This should include ensuring that staff know how to respond appropriately to medical emergencies and identify people who are experiencing acute intoxication and withdrawal.

Recommendation 22

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement annual in-service training requirements for corrections officers and healthcare staff for the identification and management of people in custody experiencing acute intoxication and withdrawal.

²⁴ A review of Washington jail deaths by Columbia Legal Services between January 2005 and June 2016 found that drugs or alcohol played a role in at least 38 percent of all jail deaths in the state.



Use of Force Common, Oversight Limited

SECTION SUMMARY

Uses of force are common in county jails but oversight is limited, leading to potential abuse. KCCF staff reported using force 10 times more often than MRJC staff; however, MRJC staff were significantly more likely to use pepper spray. Old data systems prohibit a comprehensive review of uses of force for disparities by race (see report section titled “DAJD Lacks Comprehensive Risk Management Strategy” for more on this) or appropriateness, but officers used excessive and unnecessary force at least seven times in the last three years. DAJD’s lack of training and level of discretion in its use of force policy may contribute to corrections officers using higher levels of force than necessary in some instances. We recommend that DAJD improve its use of data to systematically review uses of force against jail policy and increase training for uses of force and de-escalation.

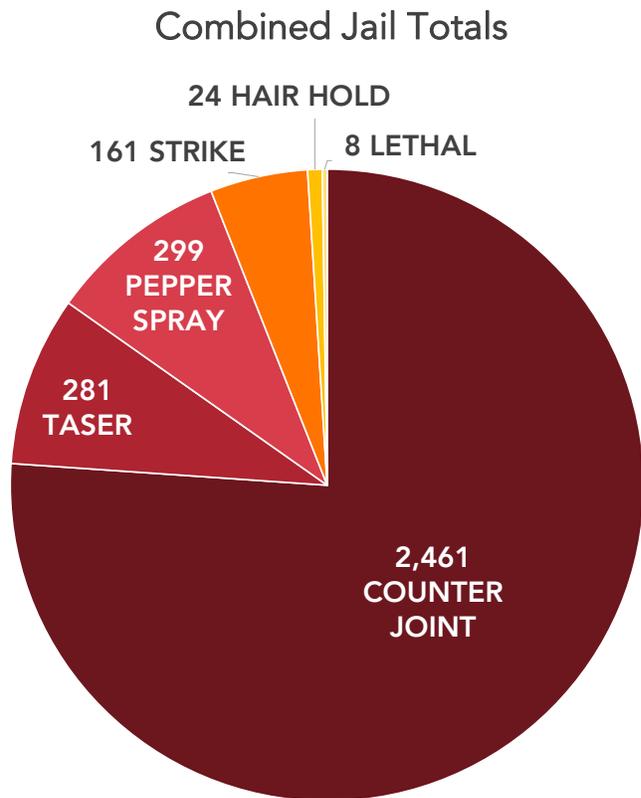
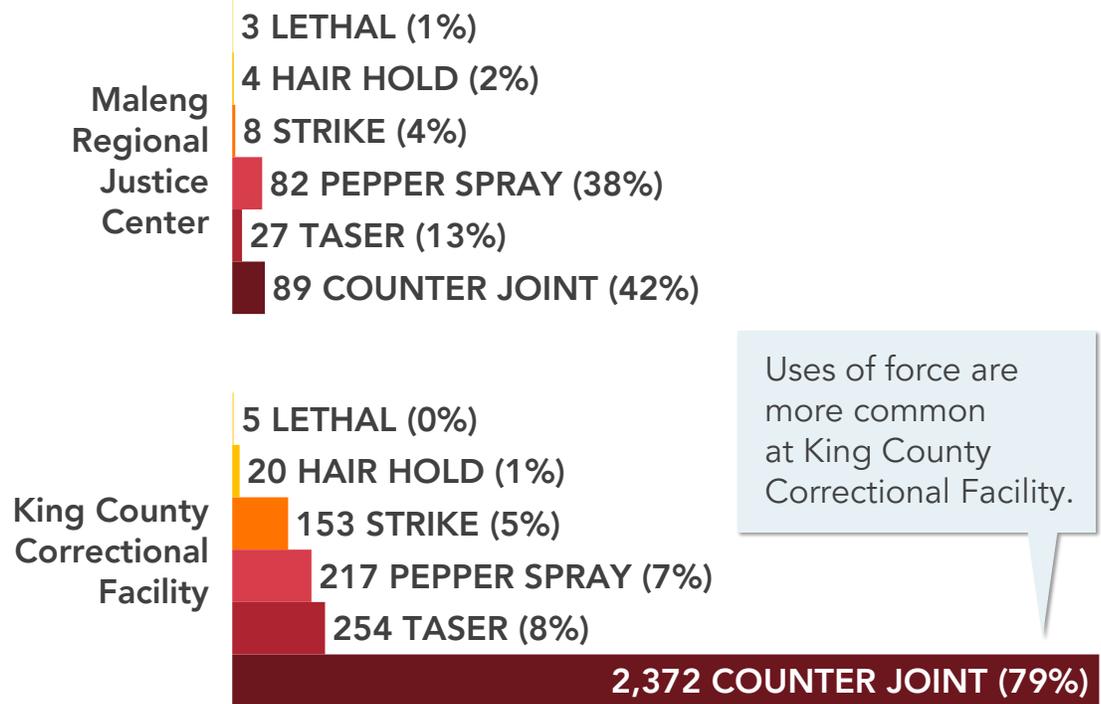
METHODS

- Analyzed DAJD data on all uses of force between 2017 and 2019 to determine the amount and types of force used
- Analyzed all 773 uses of force between 2017 and 2019 where only one type of force and resistance was used to see if force was appropriate per the use of force continuum
- Reviewed all internal investigations data between 2017 and 2019 for cases of excessive and unnecessary force

Uses of force common

Uses of force are common in county jails, leading to potential injury. Corrections officers use force, among other things, to prevent harm to others and protect themselves. At KCCF officers reported an average rate of 70 uses of force per 1,000 people in the ADP. In contrast, MRJC recorded an average of seven uses of force per 1,000. In other words, uses of force happen 10 times more often at KCCF than at MRJC. The most common type of force officers used at both jails was counter joints (see exhibit X). The second most common type of force differs between the two facilities with KCCF using tasers only slightly more often than pepper spray and doing so in fewer than 10 percent of incidents involving force. At MRJC, the use of pepper spray is much more common, accounting for nearly as many uses of force as counter joints. According to DAJD, it is more common to use pepper spray at MRJC since it has a more open layout, reducing the number of people negatively affected by the discharge.

EXHIBIT X: Uses of force are more common at King County Correctional Facility, 2017-2019.



Source: King County Auditor's Office review of Department of Adult and Juvenile Detention data.

Gaps in data make tracking excessive force difficult

DAJD’s old data systems, which are slated to be replaced by the new Jail Management System (JMS), do not adequately support use of force reviews.²⁵

While paper records allow for incident by incident investigations,²⁶ data systems do not allow for more systemic analysis, which would better support a comprehensive risk management strategy. For example, DAJD systems store use of force data in a format that does not match uses of force with corresponding resistance. As a result, we could only check for proper force when only one type of force and one type of resistance took place in a single incident. We found that this one-to-one scenario only happens in about one in four incidents. In other words, even with the available data, it was impossible to systematically determine if officers used proper force in 75 percent of incidents. For these cases, a review of paper documentation would be necessary.

In four percent of one-to-one force or resistance incidents, officers used force greater than indicated by the use of force continuum, suggesting that excessive force may be more common than IIU data shows.²⁷

Most of these cases involved pepper spray. We found 19 incidents where officers pepper sprayed people who were trying to walk away, were being passive, or were responding only verbally. None of these cases were among those IIU investigated between 2017 and 2019; however, a separate case where an officer pepper sprayed an incarcerated person behind their locked cell door did result in a finding that the officer violated DAJD’s Code of Conduct.

DAJD’s policies say that officers should not use pepper spray as a means of punishment or retaliation, including as a response to verbal abuse alone. Effective November 2019, DAJD’s Pepper Spray Policy also requires officers to get annual on-shift training on the use of pepper spray.

Recommendation 23

The Department of Adult and Juvenile Detention should develop and implement a plan to use the Jail Management System for systematic reviews of proper use of force at least annually.

Recommendation 24

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for the use of pepper spray in line with department policy.

²⁵ For more on JMS see report section titled “DAJD Lacks Comprehensive Risk Management Strategy.”

²⁶ DAJD staff are required to submit written reports on all uses of force before they are relieved from duty. DAJD sergeants and facilities majors review these reports. Majors then decide if there is evidence of possible misconduct and makes referrals to the Internal Investigation Unit or Force Review Committee as needed.

²⁷ Our analysis was of 773 incidents that occurred between 2017 and 2019 where there was only one type of force and one type of resistance reported among the following types of resistance: tasers, counter joints, strikes, pepper spray, shows of force, and lethal force.

Lack of training may contribute to excessive force

DAJD’s Internal Investigations Unit found four cases of excessive and unnecessary force between 2017 and 2019. Excessive and unnecessary force is any use of force that is 1) beyond what is reasonably necessary to subdue people who are resisting or 2) any brutality or corporal punishment. From 2017 to 2019, IIU classified 34 allegations as excessive and unnecessary force, resulting in 29 unique cases. IIU sustained four of the 29 cases upon investigation. One officer resigned following the incident, while the other three received verbal counseling or letters of corrective counseling.²⁸ We found four other allegations involving uses of force that IIU staff classified as Performance of Duty or Inattention to Duty; three of these were sustained.

Corrections officers do not consistently receive hands-on use of force training each year, leaving them underprepared to deal with scenarios that happen daily. DAJD did not offer any classroom-based use of force training in 2020 due in part to the COVID-19 pandemic. DAJD said it typically offers two hours of hands-on use of force training and more than four hours of lecture-based use of force training in a year. There is no state requirement for how many hours of in-service training corrections officers receive. However, regular training is important for ensuring officers are prepared to face their work in a dynamic environment. Jail policies on use of force changed in 2019 and the population of people in custody also changes, such as an increase in people with serious mental illness.

Without training, officer discretion may contribute to excessive or unnecessary uses of force. This is because DAJD’s Use of Force Policy allows officers to choose a level of force even if it is not next in line on the continuum, depending on the circumstances, so long as it is reasonable and necessary.

DAJD’s lack of comprehensive de-escalation training could limit officers’ ability to deal with conflict without using force. DAJD offers de-escalation training as part of annual crisis intervention training, which has ranged from one to three hours since 2018. Washington state law recently set forth requirements for law enforcement officers to complete a minimum of 40 hours of continuing de-escalation and mental health training every three years starting in January 2028.²⁹ This law does not apply to corrections officers who work in county jails.³⁰ The intent of the law is to make communities safer and reduce the use of physical or deadly force. However, the same communities that police encounter outside the jail, some of whom at disproportionate rates, end up in jail where uses of non-lethal force are common. Moreover, as we noted in the report section titled “King County Adult Jail Operations,” 85 percent of people in jail are not serving a sentence but awaiting due process. And, as we have shown in this and previous sections of this report, training topics mandated by state law for law enforcement officers—these include using proper force, recognizing mental or behavioral health issues, recognizing implicit and explicit bias, understanding intersections of race and policing, and improving communication to reduce the likelihood of injury—are all relevant to the work of corrections officers.

²⁸ DAJD uses progressive discipline, so non-discipline may be proper under DAJD policy if it was a person’s first offense.

Recommendation 25

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for de-escalation.

Conclusion

Violent incidents like fights and assaults are common in King County jails, and DAJD lacks a comprehensive risk management strategy to address these and other issues. This means that DAJD is not doing enough to identify and mitigate safety risks before they lead to injury to staff or people in custody, particularly those with mental illness. Currently, DAJD manages risk by reacting to individual incidents as they occur. The jail has an abundance of data, but this information is difficult to use, much of it is not reported to the public, and jail staff are not using it to look at safety and equity issues on a systemic level. This allows unintended or undesirable practices to continue.

We found clear racial disparities in housing and discipline, meaning Black people who are incarcerated in King County are more likely to face negative consequences in jail such as higher security housing, more rule infractions, and more severe punishment. This, in turn, could lead them to be involved in more violent incidents and could result in negative health outcomes that are shown to occur for people held in restrictive housing. While systemic racism outside county jails contributes to these conditions within the jails, DAJD has a responsibility to the people in its custody to mitigate those harms to the extent possible.

Finally, the greatest safety risk, loss of life, is a regular occurrence in county jails. Over the last decade, between one and six adults have died in county jails every year. More than half of deaths in King County jails may be jail-attributable in nature, indicating that DAJD could do more to prevent deaths in county jails. Altogether, DAJD's lack of a comprehensive risk management strategy paired with limited public transparency means that existing disparities and safety risks may continue to go unnoticed and unaddressed. As part of improving the safety and transparency of its operations, DAJD should work with its justice partners to ensure that it can meet the County's goals on maintaining a lower jail population through alternatives to incarceration as well as the other commitments stated in the County's Equity and Social Justice Strategic Plan.

²⁹ WAC 139-11

³⁰ RCW 43.101.452 and 43.101.455

Incident Data

VIOLENT INCIDENTS IN KING COUNTY JAILS

Throughout this report and in the tables below, the term “incidents” includes those that the Department of Adult and Juvenile Detention (DAJD) categorizes as: fights, assaults, aggravated assaults, sexual assaults, biting, spitting, threats with a weapon, verbal threats, throwing trays, throwing feces and urine, and other. DAJD also tracks other types of incidents that are not included in this report, specifically: profanity, non-compliance, orders to compel, and self-harm.

EXHIBIT 1: Select incidents by type, facility, 2017-2019.

RATES	Between people in custody	Between staff and people in custody	Both types of incidents
King County Correctional Facility	368	160	528
Maleng Regional Justice Center	146	37	183
Both jails	276	109	385
COUNTS			
King County Correctional Facility	1,297	565	1,862
Maleng Regional Justice Center	362	92	454
Both jails	1,659	657	2,316

Note: Rates are the number or count of violent incident type per 1,000 average daily population of the facility. Incidents here include fights, assaults, verbal threats, spitting, aggravated assaults, biting, throwing trays, threats with a weapon, throwing feces and urine, sexual assault, and other.

Source: King County Auditor’s Office analysis of data from Department of Adult and Juvenile Detention’s Roster Management System Incident Tracking Module

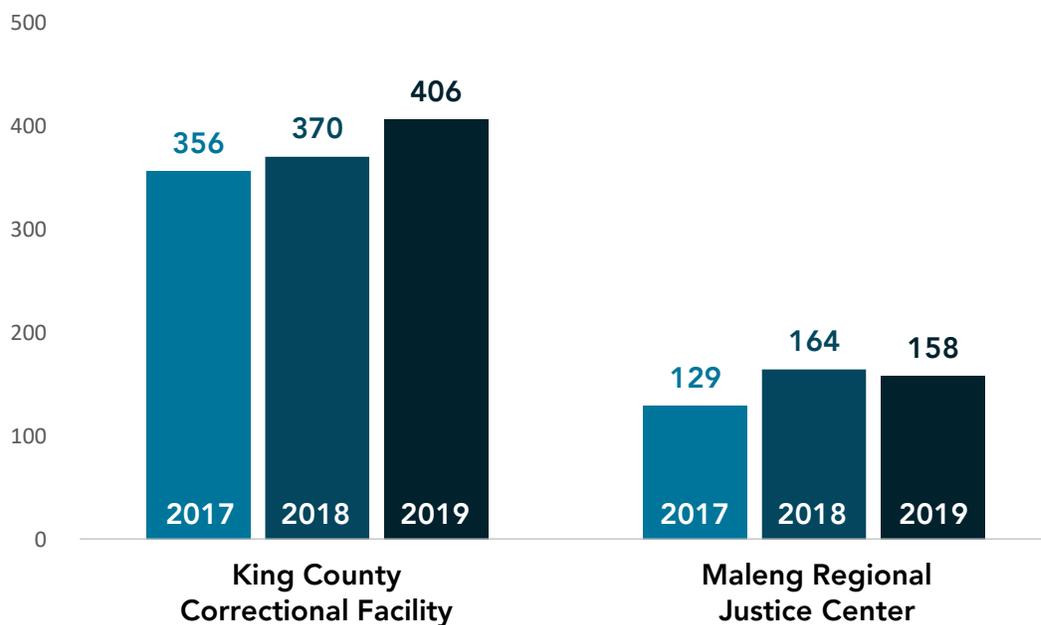
INCIDENTS BETWEEN PEOPLE IN CUSTODY

EXHIBIT 2: Select incidents by type, facility, 2017-2019.

	KCCF	%	MRJC	%	Both	%
Fight	787	60%	265	72%	1052	62%
Assault	374	28%	66	18%	440	26%
Threats-Verbal	15	1%	5	1%	20	1%
Spitting	5	0%	1	0%	6	0%
Other	40	3%	11	3%	51	3%
Aggravated Assault	34	3%	4	1%	38	2%
Biting	13	1%	0	0%	13	1%
Throwing Trays, etc.	3	0%	2	1%	5	0%
Threats-Weapon	2	0%	0	0%	2	0%
Totals	1,273	78%	354	22%	1,627	100%

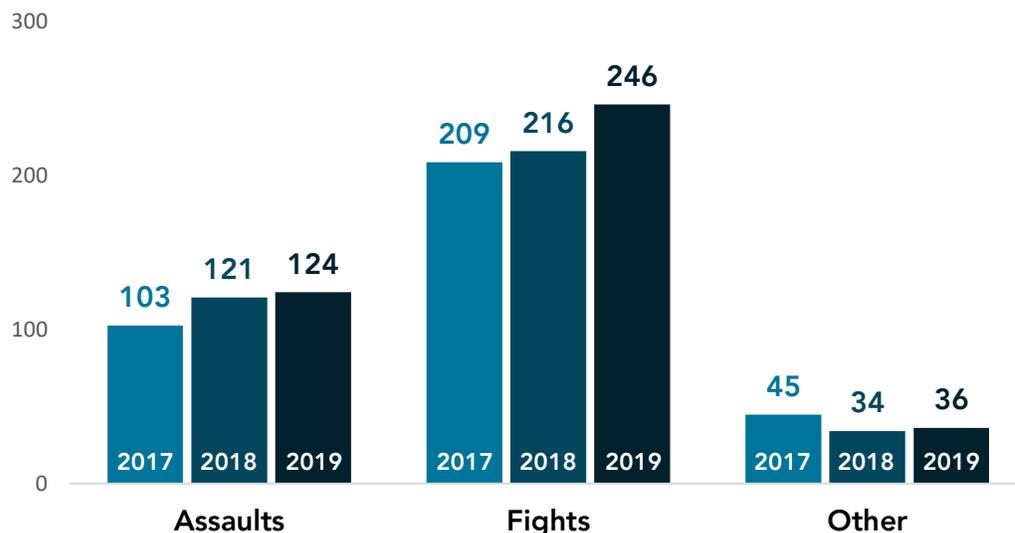
Source: King County Auditor's Office analysis of data from Department of Adult and Juvenile Detention's Roster Management System Incident Tracking Module

EXHIBIT 3: Incident rate per 1,000 ADP by facility by year, 2017-2019.



Source: King County Auditor's Office analysis of data from Department of Adult and Juvenile Detention's Roster Management System Incident Tracking Module

EXHIBIT 4: KCCF incident rate per 1,000 ADP by type by year, 2017-2019.



Note: Other includes the following categories in the Roster Management System: biting, language and profanity, non-compliance, "other," self-harm, sexual assault, spitting, threats-weapons, threats-verbal (only), and throwing tray or other items. Assaults include aggravated assault and assault.

Source: King County Auditor's Office analysis of data from Department of Adult and Juvenile Detention's Roster Management System Incident Tracking Module

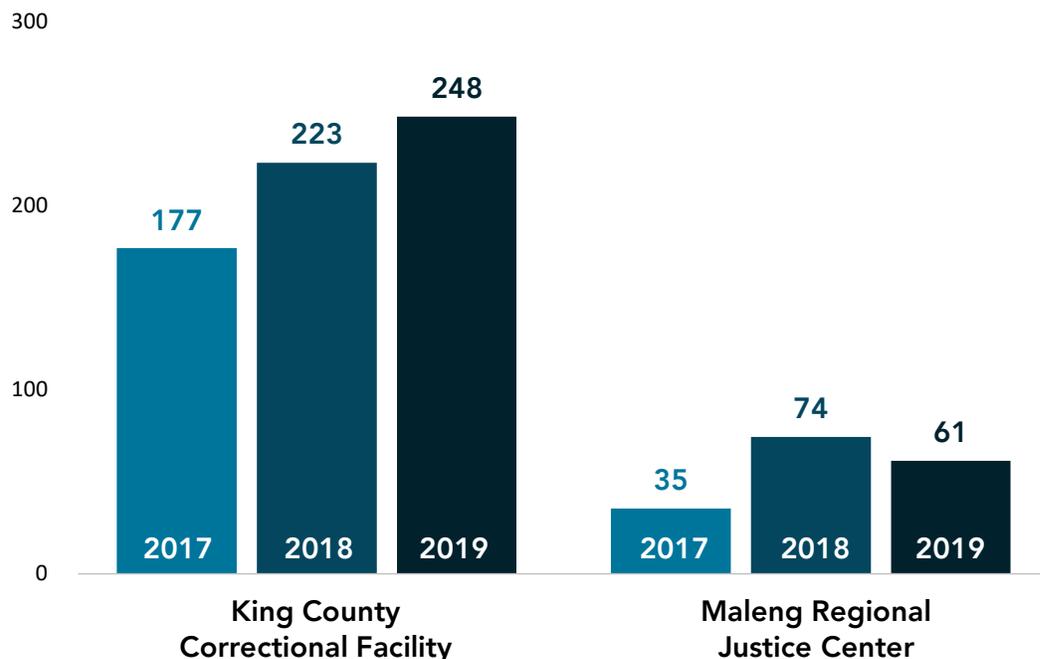
INCIDENTS BETWEEN CORRECTIONS STAFF AND PEOPLE IN CUSTODY

EXHIBIT 5: Select incidents by type, facility, 2017-2019.

	KCCF	%	MRJC	%	Both	%
Assault	175	24%	14	10%	189	22%
Non-compliance	109	15%	30	22%	139	16%
Threats-Verbal (Only)	80	11%	34	25%	114	13%
Spitting	108	15%	13	10%	121	14%
Other	59	8%	16	12%	75	9%
Aggravated Assault	25	3%	1	1%	26	3%
Biting	19	3%	1	1%	20	2%
Throwing Feces/Urine	30	4%	2	1%	32	4%
Throwing Trays, etc.	15	2%	5	4%	20	2%
Order to Compel	23	3%	2	1%	25	3%
Threats-Weapon	6	1%	1	1%	7	1%
Totals	649	85%	119	15%	768	100%

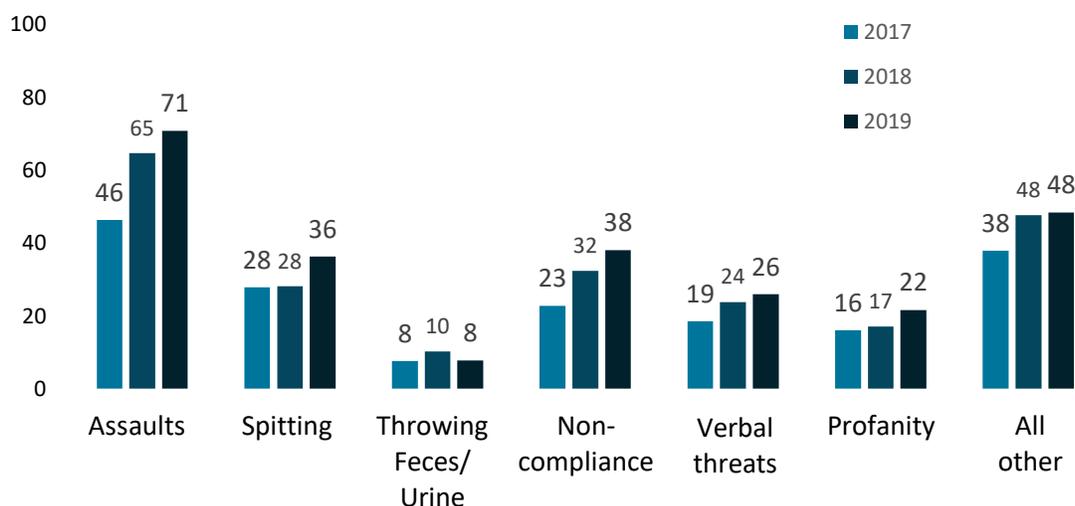
Source: King County Auditor's Office analysis of data from Department of Adult and Juvenile Detention's Roster Management System Incident Tracking Module

EXHIBIT 6: Incident rate per 1,000 ADP by facility by year, 2017-2019.



Source: King County Auditor’s Office analysis of data from Department of Adult and Juvenile Detention’s Roster Management System Incident Tracking Module

EXHIBIT 7: King County Correctional Facility incident rate per 1,000 ADP by type by year, 2017-2019.



Note: All other includes the following categories in the Roster Management System: biting, language and profanity, non-compliance, “other,” self-harm, sexual assault, spitting, threats-weapons, threats-verbal (only), and throwing tray or other items. Assaults include aggravated assault and assault.
 Source: King County Auditor’s Office analysis of data from Department of Adult and Juvenile Detention’s Roster Management System Incident Tracking Module



Auditor Response

Implementing the 25 recommendations in our report will help the Department of Adult and Juvenile Detention (DAJD) increase safety of both county staff and people in custody. Based on the Executive response, it is unclear whether DAJD is planning to make meaningful changes to existing practices. The COVID-19 pandemic has brought new challenges to DAJD, and it is possible that the agency lacked capacity to engage fully in the audit process. At DAJD's request, the Auditor built more time into the report review process, such as providing seven weeks for technical review as opposed to our standard two-week period. We are committed to working with DAJD to improve safety at county adult jails and will provide DAJD with any documentation it requests to help the agency understand our methods, findings, and recommendations. Below, we hope to clarify potential misunderstandings and offer information to ensure that all 25 recommendations are implemented fully.

We have two overarching concerns based on DAJD's written response: (1) for some recommendations, DAJD concurs without indicating that it plans to change current practices, increasing the likelihood that these recommendations may not be implemented; and (2) DAJD makes comments on some recommendations suggesting that the agency does not understand what steps are necessary for implementation.

(1) Lack of Plans for Meaningful Implementation

DAJD concurs with multiple recommendations while at the same time noting that it does not plan to change existing practice, increasing the likelihood that deficiencies will continue.

There is a risk that DAJD will not take sufficient action to proactively identify and mitigate risks related to violent incidents. For example, DAJD concurs or partially concurs with Recommendations 1, 2, and 3 but goes on to state that its current practices are already sufficient.³¹ Based on clear gaps identified in the audit, it is inconsistent that DAJD indicates that no further improvement is necessary with regard to its risk management system, its policies to prevent throwing of urine and feces, or its data analytics.

There is a risk that DAJD will not take sufficient action to address the racial disparities we identified in our report. DAJD partially concurs with Recommendations 11 and 12 but states that using its existing classification tool is critical for risk management and that an expert in correctional risk management is necessary to validate its tool. We agree that risk management is an important consideration, but it is not the only consideration when developing a classification system. Given King County's commitment to a "Pro-Equity Policy Agenda," preventing racial disparities is also an important value. There is no evidence that the industry standards that DAJD relies on have taken racial equity into account when evaluating these tools. DAJD's comment characterizes risk management and increase in equity as values that are in conflict, such that an increase in one must necessarily mean a decrease in another. In fact, systemic racism is one of the highest-ranking risks the County faces according to the Office of Risk Management Services. We are recommending that DAJD add racial equity as a vital consideration when evaluating whether existing classification tools work as well as they should. King County is a leader

³¹ For full text of recommendations, please see "List of Recommendations" on page 76 of the report.

when it comes to incorporating equity into its operations, such that existing national standards may not be sufficient to meet King County's ambitious goals.

While DAJD concurs with [Recommendation 17](#) to review infractions and sanctions data by race, it asserts that its own analysis of infraction data does not find significant differences in sanction length when controlled by the severity of the underlying infraction. DAJD did not share with us its own analysis; however, the agency's assertion is inconsistent with our findings of clear racial disparities in sanctions for serious infractions. Re-running an analysis that does not detect racial disparities will not meet the standard for implementing this recommendation.

DAJD partially concurs with [Recommendation 21](#) but does not indicate that it plans to implement it, meaning that violent incidents and medical emergencies could not be identified in time to prevent harm. DAJD cites incomplete camera coverage and union constraints as barriers to implementation. However, DAJD can work with the union to negotiate the need for video oversight and can conduct checks in limited areas as a pilot as it brings more cameras online.

Finally, DAJD concurs with [Recommendation 23](#) but indicates it will not implement it, which means that DAJD may miss opportunities to identify problematic uses of force that do not meet the basic threshold for review. DAJD notes that it reviews force regularly through its Use of Force Review Board. The review board does not have time to review the hundreds of uses of force that happen each year in its monthly meetings. The group is only required to review uses of force involving "serious or unexplained injuries," "hard impact head strikes," or force involving "apparent violations" of policy. By using data improvements from the Jail Management System as we recommend, DAJD can strategically identify cases for review by its board.

(2) Misinterpreted Recommendations

There are multiple recommendations where DAJD states that additional resources or facilities are necessary for implementation. This is not necessarily the case.

[DAJD can implement Recommendation 7](#) to avoid double-bunking in the jails without building a new jail or hiring more staff. DAJD does not concur with Recommendation 7 to manage the population of county jails with the goal of no double-bunking because, it asserts, this would require a new jail and more staffing. The benefit of Recommendation 7 can be realized independent of building a new facility or hiring more staff. Even after closing a floor at the King County Correctional Facility, if the County keeps the average daily jail population around 1,300, DAJD can avoid double-bunking of cells and continue to use dorms around half capacity. To clarify, Recommendation 7 does not necessitate the elimination of dorm-style housing. The County prioritized the safety of people in its custody when it reduced the average daily population in its adult jails; this finding and recommendation identify another safety risk—violence in the jails—that policy-makers can take into account when making decisions about jail population post-pandemic.

[DAJD can implement Recommendation 12](#) without issuing a request for proposals (RFP). DAJD partially concurs with Recommendations 11 and 12 to revise its classification tool. DAJD says it would require an RFP to engage with an expert to evaluate its existing tool. Although subject matter expertise is important, an RFP is not the only way to implement these recommendations. For example, Recommendation 12 asks that quantifiable measures be used to determine management risk scores. The National Institute of Corrections made this same recommendation to DAJD in 2011. DAJD has the

expertise to develop clear guidance on how many infractions should constitute occasional versus consistent rule violations and need only to establish and train staff on those guidelines.

DAJD can implement Recommendation 16 without revising restrictive housing policies. DAJD does not concur with Recommendation 16 to revise disciplinary sanctions to remove day ranges or clarify when to use numbers in the range. The risk remains that without guiding criteria for determining whether a sanction should be the lesser or harsher punishment, two people written up for the same rule violation can be sanctioned with 3, 4, or 5 days depending on staff discretion. DAJD does not need to revise its sanctions so much as give staff guidance on how to apply them to ensure consistency.

In sum, implementing the 25 recommendations in our report will help DAJD increase the safety of both county staff and people in custody. Our goal is that DAJD makes meaningful and appropriate changes to policy and practice. We are available for clarification and discussion of the issues as DAJD works toward those changes. As always, we will follow up on all recommendations in this report and will issue a public report on the status of implementation for each recommendation.

Executive Response



March 26, 2021

KyMBER Waltmunson, King County Auditor
COURTHOUSE, Room 1033
Seattle, WA 98104
KCAO@kingcounty.gov

Dear Ms. Waltmunson,

Thank you for the opportunity to review and comment on the proposed final report “Adult Jails Need Risk-Based Approach to Improve Safety, Equity.” I appreciate the efforts of your office to help ensure the Department of Adult and Juvenile Detention (DAJD) continues the progress it has been making to ensure the safety and equitable treatment for its staff and some of the most vulnerable King County residents; those in our detention facilities.

We concur with many of the audit recommendations and will be working to determine priorities and form a work plan. For example, there are numerous suggestions for additional officer trainings which are desirable. The department will determine how best to prioritize those training needs along with other educational priorities. The Executive Office will work closely with DAJD to develop a timeline and associated budget requests to support this important work.

One of our priorities is to reduce the need for secure detention, and instead, to utilize other interventions. Towards this goal, the Executive is committed to working with other criminal-legal system and community partners to maintain the average daily population at or below COVID-19 levels. To achieve this important goal and to increase the safety, security and equity within the adult detention facilities, we will need the support and continued cooperation of separately elected criminal justice leaders, law enforcement partners, and other community organizations serving residents of the county. We look forward to working closely with these organizations and county leadership to work towards these goals.

We appreciate that we have a shared outcome – keeping our residents and employees safe and creating a racially just system of public safety – even in the areas where we disagree with some specific recommendations or methodologies. We look forward to working with you on a further evaluation of the data analysis methodologies to ensure accurate and actionable conclusions. Thank you again for your work on behalf of King County. If you have any questions regarding our audit response, feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "B. B.", is written over a light blue horizontal line.

Deputy Chief Operating Officer

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Recommendation 1

The Department of Adult and Juvenile Detention should develop, document, and implement a comprehensive risk management strategy, including a risk owner, measurable goals, annual risk assessments, and continuous risk mitigation, monitoring, and improvement.

Agency Response

Concurrence	Partially concur
Implementation date	Ongoing
Responsible agency	DAJD
Comment	DAJD believes that it has an existing comprehensive risk management strategy, and one where risk identification and mitigation strategies are managed by experts in correctional policy and practice. The Department will continue to work as an active participant in the county's enterprise risk management monitoring, led by the Office of Risk Management Services (ORMS) which includes biennial assessments of risk. Given the new opportunities that arise with the June 2021 implementation of the Jail Management System, DAJD will be able to better partner with ORMS to assess uncommon occurrence risks and add those to the risk register.

Recommendation 2

As part of its risk management strategy, the Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement policies and procedures to reduce the number of throwing incidents.

Agency Response

Concurrence	Concur
Implementation date	Ongoing
Responsible agency	DAJD & JHS

Comment DAJD has a very low occurrence rate of throwing incidents. However, for staff involved in urine and feces throwing incidents, it can be a traumatic experience. DAJD and Jail Health Services (JHS) already have policies and practices in place to reduce the risk of throwing incidences and to limit the impact on staff. DAJD has installed shields to the pass-throughs and gaps underneath doors, and have put into use a mobile cart that increases separation between inmates who engage in throwing behavior and staff, in an effort to decrease impact.

These policies have helped to ensure a very low occurrence rate of throwing incidents in count detention facilities. In 2020, 10 inmates were responsible for 15 throwing incidents. This out of a total of 18,342 bookings, makes this an exceedingly small risk. While DAJD believes its policies and practices meet the need related to safety, the impact to staff can be traumatic, and is concerning to both DAJD and JHS. Both departments are committed to continued identification and mitigation of the risk of throwing incidents. DAJD and JHS believe the best use of time and effort would be in additional support for staff who are often the victims of throwing incidents.

Recommendation 3

As part of its risk management strategy, the Department of Adult and Juvenile Detention should ensure that it has sufficient data and reporting capabilities to analyze use of force and violent incident trends to identify risks and monitor progress toward safety goals.

Agency Response

Concurrence **Concur**

Implementation date 6/18/2021

Responsible agency **DAJD**

Comment DAJD concurs that having relevant data about the location and frequency of incidents in our electronic management systems is important. The department already has this capability in our Roster Management System, where incidents are tracked, by inmate, location and frequency and can be easily accessed. The same capabilities will be available in DAJD's new Jail Management System. DAJD will continue to monitor and report on incidents, as is current practice, by providing Commanders and other management dashboards as well as necessary ad-hoc reports.

Recommendation 4

The Department of Adult and Juvenile Detention should publicly report safety goals and data on violent incidents and uses of force broken out by population demographics at least annually.

Agency Response

Concurrence **Concur**

Implementation date 1/2022

Responsible agency **DAJD**

Comment Throughout the last year, DAJD has provided a public dashboard regarding COVID-19 activity the in the county’s detention facilities. DAJD understands that this transparency benefits the public and further agrees that the public will benefit from greater transparency regarding data about incidents and uses of force. DAJD will ensure that data that is publicly reported is comparable to similar facilities and will clearly explain what is included and not included in use of force reporting. DAJD commits to defining and publicly reporting use of force statistics beginning in January of 2022.

It is also important to note that DAJD disagrees with the definition of violence used throughout the audit because it is outside of correctional norms. The data does not indicate that there are high levels of violence in county facilities.

Recommendation 5

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for corrections officers for interpersonal communication and behavioral incentives for managing people in custody.

Agency Response

Concurrence **Partially concur**

Implementation date 2023

Responsible agency **DAJD**

Comment	<p>DAJD currently provides all uniformed staff 16 hours of interpersonal communications training at New Employee Orientation. The department agrees it would be helpful to add training for uniformed staff that includes motivational interviewing and other techniques for communicating effectively with individuals who are in crisis.</p> <p>Given the restrictions associated with controlling the spread of COVID-19, the department is facing a significant training backlog for uniformed staff which will likely carry into 2022. It is unlikely DAJD will have the capacity to add new training until at least 2023. DAJD will work with the Department of Human Resources to craft a comprehensive, multi-year training plan. As part of that plan, DAJD will determine when it might be feasible to do additional training and will make a budget request to the King County Council to add the resources necessary to conduct the training.</p>
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Recommendation 6

The Executive should include in its legislative priorities for state government establishing in-service training requirements for corrections officers.

Agency Response

Concurrence **Do not concur**

Implementation date

Responsible agency

Comment	<p>DAJD supports increasing the availability of training for our staff while recognizing the costs and challenges of implementing expanded training. Training should be responsive to evolving industry standards, advances in correctional learning, and individual department needs. The state does not need to require training for the department to implement it; the department will implement training that is funded by the County Council.</p>
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Recommendation 7

The Department of Adult and Juvenile Detention should work with justice partners to develop, document, and implement a plan to manage the population of county jails with the goal of no double-bunking of cells.

Agency Response

Concurrence **Do not concur**

Implementation date

Responsible agency

Comment

DAJD is committed to moving away from incarceration as the sole solution for public safety concerns and strongly supports efforts to reduce the average daily population. The department supports continuation of single bunking when possible.

The Executive's priority work for DAJD, which the King County Council agreed with through the adoption of provisions in the 2021-2022 biennial budget, is to begin the phased closing of portions of the King County Correctional Facility (KCCF). The initial goal includes closing one floor in the next biennium. This recognizes that incarceration is just one element within a complex criminal justice system that King County is working together with community to reimagine and redesign. This transformation process will require a commitment to different and better solutions that are necessarily much broader than jail alone. It will require sustained partnerships and assistance from DAJD's law enforcement partners, the Prosecuting Attorney and the Superior Court, and community resources.

Closing a floor of the KCCF and potentially closing more floors in the future will require efficiency in staffing and housing. DAJD's adult jail facilities were designed to maximize the efficiency of staffing; housing the most inmates with the fewest staff necessary to maintain safety and security. Complete single bunking would require a new physical structure to replace KCCF and additional staffing to maintain a more spread out inmate population.

DAJD appreciates and looks forward to expanding our ongoing work with other criminal-legal system and community partners to invest in upstream processes such as health, housing and human services that may ultimately yield a reduction in population to provide opportunities to both close floors and to provide single bunking where feasible.

Recommendation 8

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement annual in-service training requirements for corrections officers on the mental and behavioral health of people in custody.

Agency Response

Concurrence

Concur

Implementation date	2023
Responsible agency	DAJD & JHS
Comment	<p>DAJD currently provides all uniformed staff training on crisis intervention and suicide prevention. Jail Health Services is currently working on new cross-departmental suicide prevention training that will become part of the department's comprehensive training approach.</p> <p>Given the restrictions associated with controlling the spread of COVID-19, the department is facing a significant training backlog for uniformed staff, which will likely carry into 2022. It is unlikely DAJD will have the capacity to add new training until at least 2023. DAJD will work with the Department of Human Resources to craft a comprehensive, multi-year training plan, to determine when additional training may be able to be added, and will make a budget request to the King County Council to add the resources necessary to conduct the training.</p>

Recommendation 9

The Department of Adult and Juvenile Detention and Jail Health Services should develop, document, and implement policies and procedures for what information classification, corrections, medical, and psychiatric staff will share as well as when and how to share that information to ensure proper management and treatment of people with mental illness.

Agency Response

Concurrence	Concur
Implementation date	06/18/2021
Responsible agency	DAJD & Jail Health Services (JHS)
Comment	<p>Sharing data between the two departments is necessary to provide the best level of care to those in our custody and it has long been a priority for both DAJD and JHS. The departments are constrained by the Health Insurance Portability and Accountability Act (HIPAA) and federal Criminal Justice Information Services (CJIS) standards on data sharing, but share as much as is allowed by federal law. As part of the new software system that is close to completion, the Jail Management System (JMS) project, DAJD has developed a close integration with EPIC, the JHS system of record, in order to provide data more closely to real-time and to further enhance communication between the departments. DAJD and JHS have been sharing data in this manner for a long period of time.</p>

Recommendation 10

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement a plan to ensure that people housed in psychiatric overflow receive care commensurate with those housed in designated psychiatric housing.

Agency Response

Concurrence

Concur

Implementation date

Responsible agency

DAJD, JHS, Facilities Management Division (FMD)

Comment

DAJD and JHS will work together to determine which areas of KCCF should be designated as psychiatric overflow, and the right balance of cell hardening and staff augmentation to provide additional service to inmates without overly restricting their housing options. The departments anticipate this will require additional cell hardening (which is discussed in Recommendation #21) and additional staffing. The departments will work with the Facilities Management Division to develop a plan, and then work to develop a budget request for funding from the County Council to implement the plan.

Recommendation 11

The Department of Adult and Juvenile Detention should revise its criminal involvement scoring criteria to adjust for systemic racial inequities by removing incarceration experience and aligning with best practices.

Agency Response

Concurrence

Partially concur

Implementation date

12/31/2022

Responsible agency

DAJD

Comment

DAJD’s reliance on an industry standard and the previously validated classification system is of the utmost importance for maintaining the safety and security of the facilities, its employees and inmates. The use of the currently validated classification tool is also critical to mitigating risk, including that of litigation that stems from improperly housing more high risk inmates with others of lesser risk. Arbitrarily removing pieces of the classification algorithm may invalidate the tool, creating new risks for inmates and staff.

The auditor identifies some correlations that DAJD is interested in further exploring. DAJD just received information on the data and methodology that the Auditor used in reaching these conclusions, and has concerns about the methodology used. DAJD will engage the Auditor in further discussion on the data and conclusions. DAJD does not believe that this recommendation for partial change is the most effective approach as it only addresses one downstream element of the broader criminal justice system. DAJD will engage an expert in correctional risk management to assist with expert evaluation of the department’s existing classification system. DAJD will need to develop and release an RFP to obtain additional expertise in this area.

Recommendation 12

The Department of Adult and Juvenile Detention should develop, document, and implement a revised management risk scoring rubric using quantifiable measures to reduce bias.

Agency Response

Concurrence	Partially concur
Implementation date	12/31/2022
Responsible agency	DAJD

Comment DAJD’s reliance on an industry standard and previously validated classification system is of the utmost importance for maintaining the safety and security of the facilities, its employees and inmates. The use of the currently validated classification tool is also critical to mitigating risk, including that of litigation that stems from improperly housing more high risk inmates with others of lesser risk. Arbitrarily removing pieces of the classification algorithm may invalidate the tool, creating new risks for inmates and staff.

The auditor identifies some correlations that DAJD is interested in further exploring. DAJD just received information on the data and methodology that the Auditor used in reaching these conclusions, and has concerns about the methodology used. DAJD will engage the Auditor in further discussion on the data and conclusions. DAJD does not believe that this recommendation for partial change is the most effective approach as it only addresses one downstream element of the broader criminal justice system. DAJD will engage an expert in correctional risk management to assist with expert evaluation of the department’s existing classification system. DAJD will need to develop and release an RFP to obtain additional expertise in this area.

Recommendation 13

The Department of Adult and Juvenile Detention should develop, document, and implement a system for evaluating effectiveness and racial bias in its risk scoring system and make adjustments as needed to reduce racial disparities.

Agency Response

Concurrence	Concur
Implementation date	2023
Responsible agency	DAJD
Comment	DAJD will engage with an expert in correctional risk management procedures and will make appropriate changes. DAJD just received information on the data and methodology that the Auditor used in reaching these conclusions, and has concerns about the methodology used. DAJD will engage the Auditor in further discussion on the data and conclusions. After an evaluation and implementation of any appropriate changes, DAJD will commit to annually reporting on the effectiveness of our risk mitigation tools.

Recommendation 14

The Department of Adult and Juvenile Detention should document checks of the racial makeup of its security classifications to detect racial disparities at least annually and take steps as needed to reduce these disparities.

Agency Response

Concurrence	Concur
Implementation date	12/31/2021
Responsible agency	DAJD
Comment	As one partner in the county's criminal legal system, DAJD recognizes and embraces its responsibility to proactively address any disparities within its control. DAJD will review departmental systems and their demographic outcomes on an annual basis. DAJD has limited control over the disparities in the criminal justice system that are apparent in data at corrections facilities. DAJD will review departmental systems on an annual basis to identify any areas within DAJD's control that can be influenced. However, broader societal changes will need to be made by community and criminal justice systems to create a racially just system of public safety and to effect significant reductions in disparities.

Recommendation 15

The Department of Adult and Juvenile Detention should revise, document, communicate, and implement its rule descriptions so that corrections officers can fairly and consistently distinguish between general and serious infractions.

Agency Response

Concurrence	Concur
Implementation date	12/31/2021
Responsible agency	DAJD

Comment Utilizing a shared definition that both inmates and DAJD staff can understand is important for understanding and for fair implementation of the rules. The DAJD inmate handbook already fairly and consistently distinguishes between the level of infractions, DAJD agrees that the definitions of infraction categories should be reviewed for expansion or retraction of the number and type of infractions included in the system, along with a review of the penalties for engaging in each behavior. In addition, a refresher for staff about what each definition entails could help improve understanding and fair implementation. The restrictive housing workgroup has previously indicated that a review could be helpful, and they will be tasked with the review and refresher training for staff.

Recommendation 16

The Department of Adult and Juvenile Detention should revise restrictive housing sanctions to either remove day ranges for a single infraction type or to add quantitative criteria for when to apply specific numbers in the range.

Agency Response

Concurrence **Do not concur**

Implementation date

Responsible agency

Comment DAJD just received information on the data and methodology that the Auditor used in reaching these conclusions, and has concerns about the methodology used. DAJD will engage the Auditor in further discussion on the data and conclusions. DAJD’s restrictive housing policies and practices are currently being monitored both by Columbia Legal Services and by an independent monitor that reports regularly to the County Council. Neither entity has made suggestions that current sanctions are inappropriate or are being used in a non-standard way. Therefore, no additional action is appropriate for this recommendation.

Recommendation 17

The Department of Adult and Juvenile Detention should document reviews of its infractions and sanctions data by race to detect racial disparities at least annually and take steps to reduce any disparities.

Agency Response

Concurrence **Concur**

Implementation date	12/31/2021
Responsible agency	DAJD
Comment	DAJD just received information on the data and methodology that the Auditor used in reaching these conclusions, and has concerns about the methodology used. DAJD will engage the Auditor in further discussion on the data and conclusions. Contrary to the analysis performed by the Auditor, DAJD's analysis of infraction data in conjunction with this audit does not find significant differences in sanction length when controlled by the severity of the underlying infraction. DAJD will commit to undertaking this analysis on an annual basis starting with year end 2021.

Recommendation 18

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements on bias and racial justice for corrections officers and other staff whose decisions affect people in custody.

Agency Response

Concurrence	Concur
Implementation date	Ongoing
Responsible agency	DAJD
Comment	As one partner in the County's criminal justice system, DAJD recognizes and embraces its responsibility to proactively address any disparities within its control. To meet this responsibility, DAJD has developed an equity, racial and social justice development program to help identify and address inequities in any agency policies, practices, and procedures that may have a disparate impact on staff and the people in detention. The goal of this program is to help management and staff learn to identify and address bias and develop the skills to interrupt any behavior and/or practices that do not align with the county's focus on becoming pro-equity and anti-racist. Towards this end, a new training program was launched in December 2020 in partnership with King County's Chief Equity & Inclusion Officer. To date, this training has been provided to 100% of senior, middle and first level supervisors. Beginning March 26, 2021, senior and middle managers will start training on more advanced Equity and Social Justice (ESJ) principles including results based accountability. Additionally, DAJD will launch an ESJ Fundamentals workshop for all staff starting in April 2021, with a goal of 100% completion by April 2022. To increase staff's ability to identify, interrupt and address racial bias and bias in all forms as a normal part of business, DAJD is providing progressively advanced training for all employees over the 2021/2022 bienium.

Recommendation 19

The Department of Adult and Juvenile Detention should incorporate the risks of systemic racism as a component of its comprehensive risk management strategy from Recommendation 1.

Agency Response

Concurrence	Concur
Implementation date	12/31/2021
Responsible agency	DAJD
Comment	The Executive recognizes the ongoing risk of systemic and institutional racism in all elements of society and has publicly acknowledged this fact through King County's declaration that racism is a public health crisis. In addition to the auditor's recommendation, DAJD will conduct Equity Impact Reviews on its lines of business to identify and address any specific areas of possible inequity. Additionally, DAJD will use the Risk Appetite Assessment, provided by the King County Office of Risk Management, to prioritize improvements.

Recommendation 20

Based on information from death investigations and best practice, the Department of Adult and Juvenile Detention should work with Jail Health Services to increase the number of cells that are suicide resistant in places used for restrictive housing and psychiatric overflow.

Agency Response

Concurrence	Concur
Implementation date	2023
Responsible agency	DAJD, JHS, FMD
Comment	DAJD is currently working with FMD to estimate the costs of retrofitting cells in a single unit to eliminate tie-off points on the upper bunks. DAJD expects to have material and labor cost estimates from FMD within the next 6-8 weeks. DAJD will work with JHS to complete an analysis determining the cost and number of cells needed to retrofit and then will propose funding to the County Council to complete the work.

Recommendation 21

Department of Adult and Juvenile Detention should perform random, regular checks of video footage to ensure that corrections officers perform security checks in line with department policy.

Agency Response

Concurrence **Partially concur**

Implementation date Ongoing

Responsible agency **DAJD**

Comment Security checks are one of the most important tasks that Corrections Officers complete, and DAJD takes the completion and oversight of security checks very seriously. Supervisors routinely review security checks now, and they remain the appropriate oversight body for first line officers who are tasked with completing those checks. Checks are documented in paper logbooks currently, but will be automated by the new Jail Management System in June of 2021. The automation will make exception reporting and monitoring more efficient and is already a planned module in the system.

Additionally, not every housing unit is currently equipped with video, therefore, oversight in this way would be inconsistent. DAJD is in a multi-phase project to add more video capability and upgrade existing video. Finally, the county's collective bargaining agreement with the King County Corrections Guild only allows the viewing of video footage in conjunction with a specific concern or incident of misconduct.

DAJD will continue to review logbook entries of security checks in line with department policy and labor agreements.

Recommendation 22

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement annual in-service training requirements for corrections officers and healthcare staff for the identification and management of people in custody experiencing acute intoxication and withdrawal.

Agency Response

Concurrence **Partially concur**

Implementation date	Ongoing
Responsible agency	DAJD
Comment	<p>DAJD and JHS staff are already trained to identify signs of intoxication and withdrawal, and DAJD is confident in JHSs' ability to step into any withdrawal situation and provide triage and care as is necessary. DAJD is not aware of any instances where staff have failed to identify acute intoxication or withdrawal. However, because inmate safety is the highest priority, DAJD will review existing training to determine whether it should be enhanced to improve staff recognition of intoxication and withdrawal symptoms.</p>

If the recommendation is intended to prevent substance abuse withdrawal within the facility, DAJD believes that its most crucial role is working to reduce the amount of drugs (and other contraband) introduced into the facility. Over the past year, DAJD has taken substantive steps to reduce the prevalence of drugs that enter facilities in an effort to reduce the risk of intoxication and withdrawal. DAJD purchased and installed body scanners at booking to assist in identification of drugs that inmates may have on their person. DAJD has also made significant changes to the processing of inmate mail, another way that drugs and other contraband enter the facility. DAJD has limited mail such that it cannot be manila in color, and staff are photocopying the front of mail envelopes and then providing the photocopy to the inmate, rather than providing them the envelope. Drugs are often found embedded in colored paper which camouflages the imbedded drug. In addition, the department has been approved to purchase a new mail processing system which will open and photocopy mail, and the photocopy will be provided to the inmate.

Recommendation 23

The Department of Adult and Juvenile Detention should develop and implement a plan to use the Jail Management System for systematic reviews of proper use of force at least annually.

Agency Response

Concurrence **Concur**

Implementation date	Ongoing
Responsible agency	DAJD
Comment	DAJD agrees that systematic reviews of the proper use of force is critical. By reviewing use of force monthly through the Use of Force Review Board process, DAJD already reviews its officers' use of force at a higher standard of review than the auditor suggests. DAJD will continue to review use of force monthly using a totality of the circumstances method.

Recommendation 24

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for the use of pepper spray in line with department policy.

Agency Response

Concurrence	Concur
Implementation date	3/15/2021
Responsible agency	DAJD
Comment	DAJD agrees that training on proper use of pepper spray is important, which is why all officers are already trained in its proper use, and every application of pepper spray is documented and reviewed by the chain of command. There is no evidence that pepper spray use is out of policy or does not comport with best practice, therefore additional training is not warranted. DAJD will continue to provide training and oversight of applications of pepper spray as is current practice.

Recommendation 25

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for de-escalation.

Agency Response

Concurrence	Concur
Implementation date	3/15/2021
Responsible agency	DAJD

Comment

DAJD agrees that training on de-escalation is important, which is why officers already receive training in how to de-escalate situations within annual defensive tactics training. There is no evidence that this training is inadequate, and therefore additional training is not warranted. DAJD will continue to provide annual training, and will also review our current de-escalation training to determine whether changes are warranted.



Statement of Compliance, Scope, Objective & Methodology

Statement of Compliance with Government Auditing Standards

We conducted this performance audit in accordance with Generally Accepted Government Auditing Standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Scope of Work on Internal Controls

This audit reviewed internal controls related to the reduction and prevention of violent incidents and to the reduction and elimination of racial and gender disparities in discipline and housing classification. We assessed the extent to which the auditee designed and implemented internal controls related to the control environment, risk assessment, control activities, information and communication, and monitoring, and the extent to which these controls were effective.

Scope

The audit included people living and working in adult secure detention at the King County Correctional Facility (KCCF) in downtown Seattle and the Maleng Regional Justice Center (MRJC) in Kent. The audit focused on violent incidents, including excessive and unnecessary uses of force, fights and assaults, sexual assaults, self-harm, and deaths that are not the result of natural causes. This audit primarily covered the three years between 2017 and 2019, with some earlier data used to show longer-term trends, and some data from 2020 used to examine trends in violent incidents in adult jails after King County instituted social distancing practices in jails.

Objectives

- What are trends in violent incidents?
- What are the causes of violent incidents and what steps does Department of Adult and Juvenile Detention (DAJD) take to address them?
- To what extent do the steps DAJD takes to reduce violent incidents address underlying causes and meet best practices?

Methodology

For this audit, we analyzed data from DAJD. To gather information in the number and type of violent incidents and their trends over time, we analyzed Roster Management System data on all 2,316 incidents reported between 2017 and 2020. To understand the size of the jail population and how it has changed over time, we relied on publicly available DAJD reports. We also analyzed DAJD's daily counts of all people in need of psychiatric housing and actually housed in psychiatric housing between 2017 and 2019. We also analyzed DAJD data on all uses of force between 2017 and 2019 to determine the amount and types of force used. We also looked at the subset of 773 uses of force where only one type of force and resistance was used to see if force was appropriate per the use of force continuum.

In order to assess whether there were racial disparities in housing and discipline, we analyzed available demographic data for 105,527 bookings (representing 98.4 percent of all bookings) for 76,057 security scoring and classification decisions for 30,987 individuals (representing 98.3 percent of all such decisions), and for 17,491 disciplinary actions (representing 98.8 percent of all disciplinary actions) at King County jails between 2017 and 2019. In this data, DAJD categorized people into four racial categories (American Indian or Alaska Native, Asian or Pacific Islander, Black or African American, and White) and two gender categories (male and female). At the beginning of our data analysis, DAJD staff advised us that ethnicity data was unreliable, and we omitted it from analysis. In addition, DAJD did not have reliable data on nonbinary or transgender identities at the time of this audit. This prevented us from making findings or presenting data for, among others, Latinx people or transgender people in custody. We compared the average values of populations, broken down by the race and gender categories available, for a variety of metrics, including lengths of stay, assigned risk scores, and segregation days imposed for rule violations. We also looked at the relative proportions of each group with regard to their housing at different security levels to determine if it significantly differed from the baseline proportions of the population in custody.

All data analyzed and included in findings in this report was assessed for reliability and deemed sufficiently reliable for the purposes of this audit.

To gather information on the causes of and context for violent incidents, we reviewed key documents related to violent incidents in the jail between 2017 and 2019. These documents included

- all 26 unique Sexual Assault Incident Review Committee reports of substantiated and unsubstantiated sexual assault cases at adult facilities
- counts of all deaths in custody from 2009 to 2020, and of death investigations and detailed logs of deaths in custody from 2017 to 2020 for manners and causes of death
- DAJD Internal Investigations Unit investigation logs of all 372 alleged/investigated policy violations during that time period
- DAJD Supervisor Incident Reports for 28 of 32 total throwing incidents. During our site visit, the remaining two reports were not available to review.

To gather perspectives from the people who live and work in the King County adult jails, we conducted interviews with 22 corrections officers and 16 people in custody. To select corrections officers to interview, we first categorized housing units into three categories for having high, moderate, or low numbers of violent incidents based on DAJD data. We then selected 25 locations, nine with high numbers of violent incidents and eight each with moderate or low numbers, with 19 at KCCF and five at MRJC. We then distributed interview times across three eight-hour shifts for three days. Finally, we randomly selected one of the people on the selected shift who was working at the selected housing unit. Of the 25 people selected, 22 successfully attended the interviews. For people in custody, we requested the list of people in custody at KCCF on the two days we would be on site. From this list, we randomly selected people from 12 different male and female housing units of various security levels, while ensuring that we included people in the sample who identified as Latinx/Hispanic, American Indian or Alaska Native, Black or African American, White, and Asian or Pacific Islander. If the individual we selected was not available or declined an interview, we invited another person to interview in the same location and racial group to the extent possible. Three people declined or were unable to be interviewed and were not replaced with another interviewee. We also conducted multiple interviews with DAJD leadership and command staff, Jail Health Services leadership and staff, other county agencies, such as the Department of Public Defense, Office of the Ombuds, Safety and Claims (a part of the Department of Human Resources), and the Office

of Risk Management Services (a part of the Department of Executive Services), external stakeholders such as Disability Rights Washington and the American Civil Liberties Union, as well as in-jail oversight experts.

While we initially planned to conduct multiple site visits to the two adult jail facilities as part of our fieldwork, we scoped those elements out of our fieldwork due to the COVID-19 pandemic and associated changes to jail protocols.



List of Recommendations

Recommendation 1

The Department of Adult and Juvenile Detention should develop, document, and implement a comprehensive risk management strategy, including a risk owner, measurable goals, annual risk assessments, and continuous risk mitigation, monitoring, and improvement.

Recommendation 2

As part of its risk management strategy, the Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement policies and procedures to reduce the number of throwing incidents.

Recommendation 3

As part of its risk management strategy, the Department of Adult and Juvenile Detention should ensure that it has sufficient data and reporting capabilities to analyze use of force and violent incident trends to identify risks and monitor progress towards safety goals.

Recommendation 4

The Department of Adult and Juvenile Detention should publicly report safety goals and data on violent incidents and uses of force broken out by population demographics at least annually.

Recommendation 5

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements for corrections officers for interpersonal communication and behavioral incentives for managing people in custody.

Recommendation 6

The Executive should include in its legislative priorities for state government establishing in-service training requirements for corrections officers.

Recommendation 7

The Department of Adult and Juvenile Detention should work with justice partners to develop, document, and implement a plan to manage the population of county jails with the goal of no double-bunking of cells.

Recommendation 8

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement annual in-service training requirements for corrections officers on the mental and behavioral health of people in custody.

Recommendation 9

The Department of Adult and Juvenile Detention and Jail Health Services should develop, document, and implement policies and procedures for what information classification, corrections, medical, and psychiatric staff will share as well as when and how to share that information to ensure proper management and treatment of people with mental illness.

Recommendation 10

The Department of Adult and Juvenile Detention should work with Jail Health Services to develop, document, and implement a plan to ensure that people housed in psychiatric overflow receive care commensurate with those housed in designated psychiatric housing.

Recommendation 11

The Department of Adult and Juvenile Detention should revise its criminal involvement scoring criteria to adjust for systemic racial inequities by removing incarceration experience and aligning with best practices.

Recommendation 12

The Department of Adult and Juvenile Detention should develop, document, and implement a revised management risk scoring rubric using quantifiable measures to reduce bias.

Recommendation 13

The Department of Adult and Juvenile Detention should develop, document, and implement a system for evaluating effectiveness and racial bias in its risk scoring system and make adjustments as needed to reduce racial disparities.

Recommendation 14

The Department of Adult and Juvenile Detention should document checks of the racial makeup of its security classifications to detect racial disparities at least annually and take steps as needed to reduce these disparities.

Recommendation 15

The Department of Adult and Juvenile Detention should revise, document, communicate, and implement its rule descriptions so that corrections officers can fairly and consistently distinguish between general and serious infractions.

Recommendation 16

The Department of Adult and Juvenile Detention should revise restrictive housing sanctions to either remove day ranges for a single infraction type or to add quantitative criteria for when to apply specific numbers in the range.

Recommendation 17

The Department of Adult and Juvenile Detention should document reviews of its infractions and sanctions data by race to detect racial disparities at least annually and take steps to reduce any disparities.

Recommendation 18

The Department of Adult and Juvenile Detention should develop, document, and implement annual in-service training requirements on bias and racial justice for corrections officers and other staff whose decisions affect people in custody.

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