







KING COUNTY AUDITOR'S OFFICE

AUGUST 1, 2022

Follow-up on Jail Safety

The Department of Adult and Juvenile Detention (DAJD) has taken important steps to implement many of the recommendations of our Jail Safety audit; however, much work remains to further expand DAJD's ability to identify and address disparities and to improve safety. As part of efforts to increase safety, DAJD and Jail Health Services (JHS) began work to increase the number of suicideresistant bunks and cells within the Seattle jail. After initial assessments, DAJD and JHS, with the Facilities Management Division (FMD), have identified and started to retrofit more than 900 bunks. This work is especially important because there have been three deaths by suicide in the first half of 2022. Ongoing efforts to increase the number of suicide-resistant areas within the facility will help to prevent future deaths by suicide.

DAJD also worked with JHS to bolster safeguards that protect staff from being exposed to biological fluids, collaborated to finalize a new data sharing agreement, and expanded trainings to include content on caring for people in crisis. DAJD is working to implement additional improvements and to monitor the effectiveness of changes. Continued efforts in these areas will help ensure that staff have the necessary knowledge, information, and equipment to provide consistent and timely care for people in custody, particularly for those with mental illness.

DAJD has also taken initial actions to increase the mechanisms it has in place to acknowledge, detect, and address racial disparities. At the time of the original publication of the audit in 2021, DAJD had never held training on racial bias or equity and social justice. Since then, DAJD has created and implemented an Equity and Social Justice (ESJ) Training Plan that includes training on ESJ fundamentals and overcoming unconscious bias. DAJD stated that approximately 90 percent of staff have completed the training requirements to date and aims to have staff at all levels complete the training requirements by the end of 2022. DAJD also reviewed its rule descriptions and removed ambiguous definitions of assaults and other infractions. Having more objective distinctions and definitions about what constitutes general or serious violations helps reduce the potential for bias when DAJD disciplines a person for breaking a rule and helps to ensure that corrections officers treat similar behavior in a consistent way. Altogether, these steps help DAJD ensure that its operations are in alignment with the County's strategic equity and social justice goals.

Further progress on efforts to address disparities and improve safety will also rely upon bolstered communication, analysis, and reporting, which have been hindered by delays.

The pandemic delayed the launch of DAJD's new Jail Management System, which in turn delayed the implementation of recommendations related to data analysis and reporting. The new Jail Management System (JMS) presents an opportunity to expand DAJD's ability to monitor, analyze, and report on uses of force and violent incidents. DAJD said it started collecting relevant data, but that public-



facing reports will not become available until later. As a result, many recommendations remain "open" or with limited progress; however, there are early indications that this work will begin in earnest throughout 2022 and 2023.

DAJD also initiated an holistic assessment of the validity, reliability, and equity of its classification system. DAJD noted that continued work in this review will allow DAJD leadership to more clearly identify actions that will be responsive to Recommendations 11–14. Revisions to this system are necessary to reduce racial inequities and more closely monitor outcomes to ensure that all people in custody are housed in the least restrictive environment possible. The process is still in its early stages of implementation and does not yet have a defined timeline for completion. The Auditor's Office will continue to work with DAJD to review analyses and to monitor progress.

Of the 25 audit recommendations:



Please see details below for implementation status of each recommendation.

PROGRESS



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.

STATUS UPDATE: DAJD worked with the Office of Risk Management to identify its highest priority risks. As a result of this process, DAJD updated its risk register to include items identified in the audit and started to assign senior management team members as process owners to monitor and mitigate the identified risks. DAJD indicates staffing shortages and overtime are the most pressing risks, as staff fatigue and low morale can adversely affect multiple aspects of operating a safe and secure facility. DAJD, therefore, established metrics to measure progress toward meeting its staffing and overtime goals. DAJD's senior management team meets weekly to discuss risks as well as the department's ongoing efforts to hire, train, and retain staff.

WHAT REMAINS: To complete this recommendation, DAJD should develop measurable goals and metrics for other risk areas, including its non-staffing-related safety goals. DAJD should establish a continuous process for assessing and addressing risks.

Recommendation 2

PROGRESS



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.

STATUS UPDATE: DAJD and JHS convened a working group to determine potential policy and/or practice changes to help prevent throwing incidents. The working group created 13 suggested strategies to alleviate throwing risks, including expanding use of personal protective equipment and protective barriers, increasing visibility of throwing risk warnings via system alerts and signage, removing items that could be used to throw prior to an attempt, and standardizing care following an incident. DAJD agreed with the suggestions and completed implementation for two of the 13 items suggested by the working group. Work on the remaining suggestions is planned throughout 2022.

WHAT REMAINS: To fulfill this recommendation, DAJD should continue its work to document and implement relevant policies and procedures in response to the remaining 11 suggestions to reduce the number of throwing incidents submitted by the joint DAJD-JHS working group.

Recommendation 3

PROGRESS



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.

STATUS UPDATE: DAJD operations and analytical staff determined that the new JMS, which DAJD launched in 2021, can collect data needed to conduct a more robust use of force analysis. DAJD is currently working to complete regular operational reporting that was delayed during the transition to the new JMS. DAJD indicated it will continue to work to meet these reporting responsibilities throughout 2022 and will begin to implement new reporting strategies for uses of force and violent incidents thereafter.

WHAT REMAINS: Upon completing its standard operational reporting, DAJD should review and analyze data trends related to uses of force and violent incidents, such as fights and assaults, to identify risks and to monitor progress toward safety goals. As DAJD explores data collection and reporting strategies, it should ensure that data is collected in a way that allows for subsequent public reporting, broken out by population demographics as detailed in Recommendation 4.

Recommendation 4

OPEN



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.

STATUS UPDATE: DAJD said it will make progress on this recommendation after additional progress or completion of Recommendation 3 but has not offered an estimated completion timeframe. Developing initial timelines for data analysis and reporting could create positive momentum.

Recommendation 5

PROGRESS



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.

STATUS UPDATE: DAJD's Training Unit indicated that interpersonal communication training has been incorporated into the existing Crisis Intervention Training (CIT) by extending program length and subject matter covered. However, it is unclear to what extent the proposed trainings include behavioral incentive training for managing people in custody. Furthermore, CIT is a one-time requirement instead of a recurring annual training. DAJD said it is currently working through a backlog of mandatory trainings that were postponed due to the COVID-19 pandemic which prevented in-person instruction and anticipates that this work will continue into 2023. DAJD states that training must be accomplished during overtime, as it requires employees to be away from their assigned posts and is, therefore, also subject to budget availability.

WHAT REMAINS: To complete this recommendation, DAJD should develop and document inservice training requirements which specify the amount of training required annually for corrections officers on interpersonal communication and behavioral incentives, and how DAJD will monitor progress toward meeting these annual training requirements.

OPEN



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

STATUS UPDATE: The Executive did not include in-service training requirements for corrections officers in the 2022 state legislative agenda. The Executive and the County Council have begun initial conversations but have not yet finalized the County's legislative priorities for the 2023 state legislative session. Including in-service training requirements in the legislative priorities is important as a change in state law may help DAJD acquire resources to train corrections officers on how to manage the behavior of people in custody through active listening and communication. The Auditor's Office will continue to monitor for progress on this recommendation.

Recommendation 7 REASSIGNED

OPEN



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.

STATUS UPDATE: Given the cross-agency and intergovernmental coordination called for by this recommendation, the Auditor's Office has determined this recommendation should be directed to the County Executive and the Office of Performance, Strategy and Budget. As a result, we have reassigned this recommendation from DAJD to the Executive. We will review this recommendation during next year's follow-up period.

Recommendation 8

PROGRESS



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.

STATUS UPDATE: DAJD's Training Unit indicated that training to identify and respond to mental and behavioral health has been incorporated into the existing CIT. And CIT training lengthened from three to eight hours to incorporate these plus additional components of crisis intervention, de-escalation, and interpersonal communication. However, CIT is a one-time requirement instead of a recurring annual training. DAJD said it is currently working through a backlog of mandatory trainings that were postponed due to the COVID-19 pandemic which prevented in-person instruction and anticipates that this work will continue into 2023. DAJD states that training must be accomplished during overtime, as it requires employees to be away from their assigned posts, and is, therefore, also subject to budget availability.

WHAT REMAINS: To complete this recommendation, DAJD should develop and document annual in-service training requirements which specify the amount of annual training required for corrections officers on the mental and behavioral health of people in custody. DAJD should

continue to ensure that all staff receive annual training on the mental and behavioral health of people in custody.

Recommendation 9

DONE



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.

STATUS UPDATE: DAJD launched a new JMS in 2021 which allows for greater information sharing between DAJD and JHS. DAJD and JHS have finalized a new data sharing memorandum of understanding that specifies what information is to be shared between the two agencies, details the respective responsibilities for the two agencies, and specifies how the shared information will aid in providing necessary and timely care for people in custody. To ensure compliance with standards and regulations, multiple JHS staff are certified by the FBI Criminal Justice Information Service division, allowing them more comprehensive access to DAJD data.

IMPACT: By increasing access to information among JHS staff, DAJD has taken important action to ensure that people with mental illness receive necessary care. For example, by ensuring that corrections staff are made more aware of where people with mental illness are housed, they can be better prepared to interact with or care for them alongside JHS staff.

Recommendation 10

PROGRESS



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.

STATUS UPDATE: DAJD and JHS are working together to review potential gaps in care between people housed in psychiatric overflow locations and people housed in designated psychiatric housing. Through this process, some operational improvements have been identified including staff reallocations, increased signage, and system alerts to ensure that exit interviews for people with mental illness are conducted prior to release as required. DAJD is working to monitor the effectiveness and consistent implementation of these adjustments. The planned retrofit of cells to be suicide resistant, in response to Recommendation 20, is also key to providing commensurate care across locations.

WHAT REMAINS: In order to complete this recommendation, DAJD and JHS should continue their work to implement improvements, to monitor the effectiveness of adjustments, and to determine whether additional changes are necessary. DAJD and JHS should document their ongoing and planned efforts and all related metrics used to ensure that access to care in overflow locations is commensurate to those housed in designated psychiatric housing.

PROGRESS



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.

STATUS UPDATE: DAJD created a plan that details its path forward in its review and assessment of the validity, reliability, and equity of the classification process. DAJD acknowledged that there are challenges as to whether or not the criminal involvement score accurately measures a person's security risk (i.e., whether it is a valid measure). As part of its review, DAJD plans to analyze the extent to which the criminal involvement score, or any of its component parts, are predictive of infraction behavior.

WHAT REMAINS: To complete this recommendation, DAJD should follow best practice and remove incarceration experience as a component of the criminal involvement score to reduce systemic bias that leads to the over-classification of people in custody based on race.

Recommendation 12

PROGRESS



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

STATUS UPDATE: DAJD created and began implementing a plan that details its path forward in its review and assessment of the validity, reliability, and equity of the classification process. The process is still in an early implementation stage and a defined completion timeline has not been determined.

WHAT REMAINS: Consistent with the National Institute of Corrections's recommendation to DAJD in 2011, DAJD should use quantifiable measures of a person's disciplinary history in its management risk scoring rubric, rather than subjective terms and definitions that increase the potential for bias and inequities in classification outcomes.

Recommendation 13

PROGRESS



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.

STATUS UPDATE: DAJD began an assessment of its classification systems, including its risk scoring system. As part of the assessment, DAJD said it is working to establish a regular process in which the system will be continually monitored for validity, reliability, and equitable application. The classification review is still in the planning stage, with final details, testing, and implementation yet to occur.

WHAT REMAINS: To complete this recommendation, DAJD should continue to develop its assessment of its risk scoring system to ensure it is effective and reduces racial disparities.

PROGRESS



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.

STATUS UPDATE: DAJD stated that a review of the racial makeup of its security classification, and any responsive steps to reduce disparities, will occur as part of its ongoing classification systems assessment. As part of this, DAJD will determine review frequency for racial disparities in security classifications.

WHAT REMAINS: To complete this recommendation, DAJD should ensure that it reviews the racial makeup of its security classifications to detect racial disparities at least annually, and it should identify and document steps taken to reduce disparities.

Recommendation 15

DONE



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.

STATUS UPDATE: DAJD reviewed its rule descriptions and removed ambiguous definitions of assaults and other infractions. DAJD subsequently released a new "Inmate Handbook" with these clarified definitions.

IMPACT: Having more objective distinctions and definitions about what constitutes general or serious violations helps reduce the potential for bias when DAJD disciplines a person for breaking a rule. Clear rule definitions help to ensure that corrections officers treat similar behavior in a consistent way and protect staff from allegations of bias.

Recommendation 16

CLOSED



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.

STATUS UPDATE: DAJD conducted further analysis and determined that its application of day ranges do not appear to be a significant cause of the disparities between racial groups in restrictive housing sanctions. Instead, these disparities appear to be primarily caused by two factors: 1) DAJD issued serious infractions disproportionately more often for some groups compared to others, and 2) DAJD dismissed sanctions disproportionately more often for some groups compared to others. DAJD indicated that it will include these two factors as part of its annual risk assessment. This means DAJD intends to address the disparities we observed through Recommendation 17 instead of Recommendation 16. As a result, we are closing Recommendation 16 and will monitor progress as part of Recommendation 17.

OPEN



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.

STATUS UPDATE: DAJD launched a new JMS in 2021. DAJD indicates that the new JMS is operating for day-to-day use but that the department and vendor continue to work through a significant list of enhancements and a backlog of required reporting. To consider the department's overarching and long-term monitoring of equity as it completes future work, DAJD states it intends to work with partners at the Office of Equity and Social Justice. As part of this work and in response to Recommendation 16, DAJD should address the disparities detected in the issuance of serious infractions and in dismissals of sanctions. Additionally, DAJD plans to include ongoing analysis and monitoring of racial disparities in its annual risk assessment as part of its comprehensive risk management strategy in response to Recommendation 1.

Recommendation 18

PROGRESS



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.

STATUS UPDATE: DAJD created and implemented an "Equity and Social Justice Training Plan" that includes training for staff on ESJ fundamentals and overcoming unconscious bias. DAJD intends to supplement these trainings with opportunities to discuss and deepen knowledge through periodic, informal conversations and by establishing affinity groups. DAJD stated that approximately 90 percent of staff completed training requirements to date, as have approximately 40 percent of managers. DAJD aims to have staff at all levels complete training requirements by the end of 2022.

WHAT REMAINS: To fulfill this recommendation, DAJD should continue to implement its equity and social justice initiatives and monitor progress toward meeting its ESJ training plan goals. As this plan is continually refined, DAJD should be sure that the connections between the training topics and DAJD's operations and expectations are documented and clear to staff. DAJD should document the amount of ESJ training required annually of staff.

Recommendation 19

DONE



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.

STATUS UPDATE: In response to Recommendation 1, DAJD incorporated equity and racism as key risk areas in the development of its risk register. Within the risk register, DAJD identified potential strategies to mitigate the risks and disparities highlighted in the original audit report. As part of its response strategy, DAJD developed and is in the process of implementing an ESJ training plan for all staff. The department continues to bolster its ability to monitor and analyze its operational data

to identify and reduce any causes to disparities. DAJD acknowledges that staffing shortages currently limit its ability to address the priorities within its risk register.

IMPACT: DAJD's incorporation of the risks of systemic racism in its risk management strategy strengthens senior leadership's ability to identify and implement processes to address racism. DAJD's risk register, in combination with its ongoing development of strategies to identify and mitigate disparities as detailed in our 2021 audit report recommendations, helps to ensure that DAJD's operations align with the County's strategic equity and social justice goals.

Recommendation 20

PROGRESS



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.

STATUS UPDATE: DAJD and JHS began work with FMD to identify what changes could be made to increase the number of suicide-resistant cells throughout the facilities. DAJD reported that it identified and started to retrofit more than 900 bunks to ensure they are suicide resistant, and that work to address additional bunks and cells is contingent upon ongoing capital improvement budget decisions as well as vendor timelines. During this process, DAJD said that its priority is to retrofit areas with the highest risks for death by suicide, including intake areas as well as psychiatric and overflow housing.

WHAT REMAINS: To complete this recommendation, DAJD should continue its work to ensure that bunks and cells are suicide resistant. DAJD should continue to prioritize locations that present the greatest risk for deaths by suicide, including but not limited to areas used for restrictive housing and psychiatric overflow.

Recommendation 21

PROGRESS



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.

STATUS UPDATE: DAJD uses its JMS to regularly monitor whether security checks are completed and to review what percentage of security checks are tagged as completed on time. Officers indicate when a security check begins and when it's complete by clicking corresponding time stamp options in JMS. Since the new JMS launched in August 2021, DAJD reported that checks have been completed 93 percent of the time. Security checks that are not completed within a required timeframe trigger a JMS notification for sergeants, prompting them to ensure that officers complete the security checks and to begin any corrective processes, as necessary. However, bargaining agreements with the corrections officer guild prohibit DAJD from using video footage to conduct random, regular reviews to verify that security checks are completed according to policy.

WHAT REMAINS: If DAJD cannot review video footage to ensure that security checks occur in-line with department policy, DAJD should ensure that it implements alternative safeguards to prevent

the falsification of security check records. As part of contract negotiations, DAJD should also consider bargaining for the ability to perform random, regular checks of video footage to ensure that corrections officers perform security checks in-line with department policy.

Recommendation 22

PROGRESS



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.

STATUS UPDATE: DAJD's Training Unit indicated that CIT program hours were increased and that training related to the identification and response to acute intoxication and withdrawal was incorporated. However, CIT is a one-time requirement instead of a recurring annual training. DAJD said it is currently working through a backlog of mandatory trainings that were postponed due to the COVID-19 pandemic which prevented in-person instruction and anticipates that this work will continue into 2023. DAJD states that training must be accomplished during overtime, as it requires employees to be away from their assigned posts, and is, therefore, also subject to budget availability.

WHAT REMAINS: To complete this recommendation, DAJD should develop and document inservice training requirements for corrections officers which specify the amount of annual training required on the identification and management of people in custody experiencing acute intoxication and withdrawal. DAJD should continue its work with JHS to ensure that all staff complete the required annual trainings on the identification and management of people in custody experiencing acute intoxication and withdrawal.

Recommendation 23

PROGRESS



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.

STATUS UPDATE: DAJD operations and analytical staff determined that the new JMS, which launched in 2021, can collect data needed to conduct more robust uses of force analyses, and stated that proper data collection is happening to facilitate the development and implementation of several new, future uses of force reports. DAJD is working to complete regular operational reporting that was delayed during the transition to a new JMS, and once complete, the department states it will begin to implement new reporting strategies on uses of force and violent incidents. As DAJD works to expand its reporting capabilities, the department indicated that the standard processes for investigating uses of force through chain of command along with the Use of Force Review Board remain in place.

WHAT REMAINS: As DAJD works through standard reporting requirements and prepares to implement new uses of force reporting strategies, it should ensure that its reports can be sorted by assailant and witness information, and—as a method to identify areas of potential excessive or frequent uses of force—that collected data can be compared for the level of force used against the level of resistance met. As DAJD explores data collection and reporting strategies, it should ensure that data is collected in a way that allows for subsequent public reporting, broken out by population demographics, as detailed in Recommendation 4.

Recommendation 24

DONE



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.

STATUS UPDATE: DAJD reiterated that annual defensive tactics training includes training on the proper use of pepper spray. DAJD also indicates that, based on its reviews of uses of force, it observed no indication that staff use pepper spray outside of policy or best practice; however, our audit indicated otherwise. During the initial audit, the audit team identified 19 incidents where officers used pepper spray on individuals who were walking away, verbally resistant, or passive, indicating that the force used may not have aligned with the resistance met by the officer. DAJD stated that it will continue to emphasize the proper use and reporting of pepper spray use within the use of force continuum during its defensive tactics training, and the department deemed additional training unnecessary. While DAJD's in-service training requirement satisfies this recommendation, ongoing review of proper use of force will continue to be examined as part of the follow-up to Recommendation 23.

IMPACT: By implementing annual in-service training requirements which clarify the use of pepper spray in-line with department policy, DAJD can help to ensure that corrections officers understand the expectations for proper use and reporting of pepper spray. Clear expectations and effective training establish an important foundation for subsequent reviews of proper uses of force by DAJD leadership per Recommendation 23.

Recommendation 25

PROGRESS



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

STATUS UPDATE: DAJD officers receive de-escalation training during mandatory CIT, offered through the Washington State Criminal Justice Training Academy. CIT has lengthened from three to eight hours to incorporate additional components of crisis intervention, de-escalation, and interpersonal communication; however, CIT is a one-time requirement instead of a recurring annual training. As of June 2022, DAJD indicated that 44 percent of required staff completed the current CIT requirement, and 100 percent of staff are on track to complete it by end of June 2023. DAJD states that training must be accomplished during overtime, as it requires employees to be away from their assigned posts, and is, therefore, subject to budget availability.

WHAT REMAINS: To complete this recommendation, DAJD should develop and document inservice training requirements which specify the amount of de-escalation training required

annually. DAJD should continue to ensure staff meet the annual in-service training requirements for de-escalation training.

Grant Dailey conducted this review. If you have any questions or would like more information, please contact the King County Auditor's Office at KCAO@KingCounty.gov or 206-477-1033.