

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

Instructions for agency:

1. Select agency's concurrence with recommendation from drop down menu
2. Enter projected implementation date, or N/A
3. Enter agency (or agencies) responsible for recommendation implementation
4. Enter agency concurrence comment, or reason for partial or non-concurrence with recommendation. Note: comment required for partial and non-concurrence.
5. Return completed form electronically in original format to Auditor's Office (KCAO@KingCounty.gov) by **March 26, 2021**.

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
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Implementation date	Ongoing
Responsible agency	DAJD & JHS
Comment	<p>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.</p>

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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
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Implementation date	1/2022
Responsible agency	DAJD
Comment	<p>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.</p> <p>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.</p>

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**

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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>

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

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.

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

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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

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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>

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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	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.

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
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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

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Implementation date	12/31/2022
Responsible agency	DAJD
Comment	<p>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.</p> <p>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.</p>

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	<p>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.</p> <p>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.</p>

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

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
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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> <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.</p>

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**

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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.