

Statement of Shared Commitment

Monday, October 13, 2014

Statement of intent between King County and the City of Seattle to continue to address racial disproportionality in the juvenile justice system

Overcoming centuries of racial disparity in our nation's criminal justice system will require concerted, ongoing effort from every branch in the system, all levels of government, elected officials, and the communities we serve. King County and the City of Seattle have demonstrated leadership on this important issue and taken action to address disproportionality. Working together, we will continue to be committed to ensuring that our criminal justice system is fair, just and equitable.

To that end, this document serves as a statement of intent between King County ("County") and City of Seattle ("City") with regard to commitments pertaining to the proposed King County Children and Family Justice Center.

The County acknowledges that the capital project will be built. As the project proceeds, both parties agree to address the following in order to continue to reduce racial disproportionality in the juvenile justice system:

1. Race and Social Justice Assessment and Action Plan. King County and the City of Seattle will work with a third party organization to facilitate a race and social justice analysis of King County's proposed juvenile court and detention facility located in the City of Seattle. The assessment will include, but not be limited to the following components:
 - a. **Partnership and stakeholder interview process:** the County and City intend to partner with a third party organization to engage in a stakeholder interview and scoping process for a racial impact assessment. This process is intended to gather stakeholder input about the scope of the assessment and seek agreement on an instrument. This scoping will include interviews with members of Youth Undoing Institutional Racism (YUIR) and Ending the Prison Industrial Complex (EPIC) as well as judges and other elected leaders, staff in the juvenile justice system, partnering agencies as well as other stakeholders identified by interviewer, the City and the County.

In addition to interviews, this process will be informed by:

- i. The list of questions submitted to the City and County by YUIR that identify key questions about history of the detention center and current experience of youth, particularly youth of color in the institution (attached).
- ii. The work King County has already completed on disproportionate minority contact in the juvenile justice system as well information and studies available about other existing programs and initiatives.

The scope of the assessment is intended to include the review of policy and programming issues as they relate to the proposed Children and Family Justice Center project and racial and ethnic disparities in the criminal justice system. The assessment should also include portions of the juvenile justice system that occur prior to, or outside of the scope of the Capital Project, such as arrest and police contact that is largely under the jurisdiction of the city governments as well as the other upstream issues such as education and public health that impact the lives of individuals and communities that are entering the juvenile justice system.

- b. Additional Phases and Timeline:** A detailed timeline of additional phases will be proposed with the assessment tool. We expect the following phases to be included:
- i. Stakeholder Interviews and Scoping: the scoping phase outlined above expected to be complete by December 31, 2014.
 - ii. Assessment: an initial phase of the racial justice assessment and early action plan to be completed by March 31, 2015 to have the maximum opportunity to influence changes in schematic design. Additional assessment may be proposed on a longer time and the County shall remain open to receiving further policy and program feedback with respect to the Capital Facilities project through December 31, 2015.
 - iii. Action Plan: In addition to an assessment, the County should generate an action-plan of programs, policies and/or changes to the Capital Facilities project program that can be accomplished in the schematic or final design phases that can improve racial equity in juvenile justice outcomes by end of 2015.
 - iv. Implementation Phase: the action plan will be followed by a more detailed implementation schedule with responsible parties identified.
 - v. Evaluation: the County will establish clear means for identifying and measuring progress towards goals outlined in the action and implementation plans.

2. In addition to the assessment, the City and County will strive to take action on the following targeted partnerships:
- a. **Restorative Justice Pilot Projects.** Throughout 2014, the County's Juvenile Court, Office of Performance, Strategy and Budget, and Alternative Dispute Resolution section have partnered with the City's Office of Restorative Justice to provide training and exposure to restorative justice principles and practices. The City and County should commit to continue these efforts into 2015 and specifically to identify one or more pilot projects to expand the use of restorative justice in our juvenile justice system.
 - b. **Children in School.** Mutual efforts by the County and the City to encourage the Seattle School District (and, for KC to encourage other school districts) to reduce the use of

disciplinary suspensions which have been identified as a key precursor to youth involvement in the criminal justice system/detention. Continue to encourage school districts across the county to make filing of a truancy petition a last resort and to ensure the court's response to the petition is effective in reengaging children in school.

- c. Reducing Warrants and Failures to Appear. Youth who fail to appear for court or to comply with court orders represent a significant percentage of those who end up in detention, adding to disproportionate minority confinement. The city and the county will explore ways to reduce failure to appear in court. Expanding the current warrant reduction program, providing transportation services to Seattle youth with hearings and other ideas should be explored.



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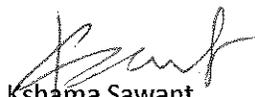
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**Youth Undoing Institutional Racism and End The Prison Industrial Complex call for
King County and Seattle City Council to honor stated commitments to Racial and Economic equity
By conducting a Race & Equity Impact Analysis on the proposed new youth jail**

Youth Undoing Institutionalized Racism is part of a network of community-based organizations with a long history and foundational relationship to both the King County Equity and Social Justice and City of Seattle Race and Social Justice commitments. City and County government have developed resources and tools to embed practices to improve racial equity. The community engagement guides and equity review tools are prominent on city and county websites and print material. Seattle and King County receive accolades and are perceived by other municipalities across the country as being on the cutting edge of race and social justice.

Given the racial disparities in the criminal justice system throughout this country, state and county, it is incomprehensible that a Race & Equity Impact Review was not done on the proposed youth jail. We call for a comprehensive Race & Equity Review immediately.

The current King County Strategic Plan which took effect in 2010 integrates the principle of "fair and just" in all aspects of County business. The plan explicitly recognizes that government policies seldom focus on the role that systems and institutions play in the creation of conditions that create inequity. It goes on to acknowledge that government most often promotes and funds services to treat individual problems rather than systemic causes. Ordinance 16948 specifies approaches deemed necessary to implement and achieve fairness and justice. King County developed the Equity Impact Review tool to be used as a process to identify, evaluate, and communicate the potential impact of policies and programs on equity.

In 2013 Executive Constantine re-affirmed his unwavering commitment to equity and social justice and asked elected officials, employees, residents, communities and partners to walk with him on the journey to a more just Martin Luther King County. We are attempting to walk with the Executive. It should be noted that while this is a walk for some, others are stumbling and falling under the full weight of racism.

In Section 2-G of Ordinance 16948 "Inequity" is defined as differences in well-being that disadvantage one individual or group in favor of another. These differences are systematic, patterned and unfair and can be changed. Inequities are not random; they are caused by past and current decisions, systems of power and privilege, policies and the implementation of those policies.

It is essential to contextualize policies and decisions against an historical backdrop in order to fully analyze racial impact. Economic impact is an obvious consideration and culture is the life blood of community, therefore it is also essential to consider the economic and cultural impact of policies on communities most adversely impacted by inequity.

In the latter part of the 19th century Native people were banned from living in Seattle. As people of African and Asian descent and Jewish people moved to the area, restrictive neighborhood covenants and redlining was used to segregate the city. As a result of these practices, by 1960 more than 90 percent of Seattle's Black population was redlined into the Central District. This is the historical context in which the current juvenile detention center was cited in the 1960's.

An equity impact review must include due diligence to determine: how the original siting decision was made; how various racial groups were impacted by eminent domain and displacement; how the location of the juvenile detention center affected property values; how the location of the facility impacted the perception and treatment of youth and families in the community; the possible correlation between the siting of the facility and the racially disparate rates of children of color who are jailed there.

We call for a comprehensive racial and economic equity analysis immediately. An equity impact review must be done in the context of policies that are driving gentrification of the surrounding neighborhood. The

youth jail currently and historically is sandwiched between the sprawling campuses of Seattle University and Providence Medical Center. Both entities have enjoyed decades of growth as communities of color have been displaced. More recently, the Yesler Terrace community has been repurposed for residential and corporate gentrification and transportation has been re-designed to better serve the incoming residents.

Given the context of the building itself, on top of the realities of racism endemic to our criminal legal system, government must honor its commitment to racial and social equity by analyzing the historic and current racial and economic inequities perpetuated by this project.

It is our expectation that you honor your stated commitment to equity and that you use the tools that our tax dollars were used to create.

YUIR and EPIC call on the City and County to ask the following questions as they conduct a formal equity impact analysis:

1. **CONSIDER:** The history behind the County's decision to locate the youth jail (i.e., King County Juvenile Detention Center) in Seattle's historically black community: the Central District.
 - a. Which racial groups have historically occupied the neighborhood where the jail is located? What structural and legal forces have historically restricted the settlement patterns of black families (and other people of color) in Seattle – King County?
 - b. What structural and cultural forces are contributing to the erosion of Seattle's historically black community: the Central District?
 - c. To what extent with the construction of a new youth jail complex contribute to or exacerbate the uprooting of families of color from the Central District; thus, the erasure of Seattle's historically black community? What has been the historic relationship between these racial groups and law enforcement?
 - d. What do those racial groups who have been historic residents of the Central District, including but not limited to the neighborhood immediately adjacent to the jail, have to say about the proposed new youth jail? (How have the communities most affected been engaged, heard, and had their voices included in decision-making?)
 - e. How were the racial groups living there affected by eminent domain and displacement?
 - f. How were the property values of those who remained affected by the siting of the jail?

2. **CONSIDER:** Which racial/ethnic communities and community stakeholders are most likely to benefit, economically, from the building of the new youth jail.
 - a. Do poor folks and folks with financial means benefit equitably?
 - b. Do poor folks and folks with financial means benefit equitably?
 - c. Which racial groups are likely to benefit from this sale?
 - d. Which racial groups are likely to benefit from the use of the land that is sold? Which are not?

3. **CONSIDER:** The disparate impact on our youth experiencing homelessness and other vulnerable populations:
 - a. What is the racial and economic makeup of youth experiencing homelessness in King County?
 - b. How do youth experiencing homelessness believe this plan will support their needs?
 - c. Will this collocation help reverse the structural oppression – racial and economic – that experience homelessness deal with on a daily basis?

- d. Are there alternative options that would better support youth who are experiencing homelessness?
- e. Why does the County want to build an extra wing of "dorm space" that they say they will not use for detention? Why are they planning to build these additional beds but not counting them in the bed count?

4. CONSIDER: Which communities or populations are constantly overrepresented as "criminals" in the King County Juvenile Justice Center?

- a. What affect will the current Youth Jail proposal have on the growth of reduction of those disparities? : Will the current plan to build a 210 million dollar youth jail complex facilitate growth or reduction of these disparities?
- b. Why are current disparities increasing? How has the planning process for the current proposal addressed this?
- c. How has expertise and experience from individuals and communities most impacted by the King County Juvenile Justice Center been utilized in creating a multi-year plan to reduce racial disparities?

5. CONSIDER: Disparities exist at all decision points of the system.

- a. Has a decision-point analysis of the King County Juvenile Justice System been conducted PRIOR TO the decision to build a new jail?
- b. If such an analysis has been done, has the public (especially those most negatively impacted by this system) been made aware of the findings?
- c. Further, was this decision-point analysis conducted by a neutral party (i.e., someone not affiliated with the King County Juvenile Justice System)?
- d. If such an analysis was done, to what extent did it assess decision-points or decision-makers that are part of the larger Prison Industrial Complex (e.g., school officials; zero-tolerance policies; housing policies that exacerbate segregation; labor market discrimination, media portrayals of crime and criminals, etc.)?
- e. Finally, how does the King County Juvenile Justice System plan to respond to any findings or recommendations from this analysis?

6. **CONSIDER:** Does the current proposal, for a new youth jail, seriously consider the desires and the demands by communities most impacted to have upstream approaches to juvenile justice and alternatives to detention (such as: community-led prevention programs, strategic mentoring, etc.)?
- Is locking kids up fiscally smart? What is the cost-benefit between fully funding a child's education (from pre-K throughout the educational continuum) compared to incarceration?
 - How is the current plan going to interrupt the school to prison pipeline for communities most affected?
 - To what extent will the building and the operation of a new youth jail complex, in King County, draw already scarce funds away from other *vital* county programs and services?
7. **CONSIDER:** How does the building of a new youth jail address the racism that is endemic to our juvenile justice system?
- Will all employees, staff, volunteers, administrators, consultants, or anyone who stands to profit from the King County Youth Jail be **REQUIRED** to complete a critical anti-racist or undoing institutional racism process/training?
 - How will the County **ENSURE** the public that the practices and the policies (of anyone affiliated with the Youth Jail) are not maintaining racism, white supremacy, or any system of oppression?
 - What mechanisms of public accountability will the County put in place as to **ENSURE** that the King County Youth Jail (i.e., its personnel, its practices, and its policies) remain anti-racist, equitable, and non-oppressive in its impact to the youth and their families/communities?
8. **CONSIDER:** Disrupting the school-to-prison pipeline. Alder academy, a school for youth who have been pushed out of the public schools, is proposed to remain on the campus of the youth jail. Regarding this plan:
- What is the racial and economic makeup of students who attend Alder Academy?
 - What role could this collocation play in either increasing or alleviating the negative perceptions that society holds of youth of color and that youth of color sometimes hold of themselves?

- c. How does collocating the school with a jail support the goal for Alder Academy students to develop the skills and connections to community that they need in order to be what Seattle Public Schools defines as “college and career ready”? How does it prevent young people from being pulled deeper into the juvenile and adult criminal justice systems?

9. **CONSIDER: Killing what Michelle Alexander calls the “New Jim Crow.”**

- a. To what extent does the creation of a new youth jail further perpetuate the disenfranchisement of youth of color in Seattle –King County?
- b. As a result of this disenfranchisement, what obligation does the King County Juvenile Justice System have to ENSURING that youth of color and their families are not treated as second-class citizens in this society?
- c. As scholars have demonstrated, the U.S. criminal justice system is ‘slavery by another name.’
QUESTIONS: To what extent does the new youth jail complex maintain this legacy of chattel slavery? What obligation does the King County Juvenile Justice System have to abolishing the need for incarcerating youth (especially youth of color) as our SOLE practice of juvenile justice?