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Via e-mail

King County Executive Dow Constantine

Dear Executive Constantine:

The Legal Voice Board of Directors and Staff write to urge you and the King County Council to put a moratorium on continued construction of the new youth detention facility. Our mission of advancing the legal rights of women and LGBTQ people, with special attention to the needs of marginalized communities, leads us to this step.

In 2012, King County voters approved a \$210 million dollar levy to construct a “Children and Family Justice Center” in Seattle’s Central District. The Center will combine a new youth detention facility with a family courthouse. However, there has been significant community concern about the construction of a new youth jail, especially in communities of color whose youth are most affected by King County detention policy.

Girls face specific challenges from the juvenile detention system, especially those girls who are most marginalized:

- Black girls are the fastest growing population in the system.¹ In King County alone, Black youth make up 43 percent of the detention population but only 10 percent of the broader youth population.²
- Forty percent of the girls in juvenile detention identify as LGBTQ.³
- The majority of incarcerated girls suffer from trauma and other mental health disorders.⁴
- Girls who are sent to juvenile detention typically have also experienced overwhelmingly high rates of sexual violence.⁵

Generally speaking, schools and law enforcement through the United States over-incarcerate and over-punish girls of color. Incidents that would lead to counseling or other forms of intervention for white girls result in juvenile detention for girls of color. Moreover, criminalization as an intervention far too often misses what girls really need: many of the actions of girls who are ultimately arrested and put in detention are common reactions to unaddressed abuse and trauma.⁶

Likewise, claims that girls need to be detained to protect public safety ring hollow. The leading causes of arrest for girls are minor offenses such as misdemeanors and status offenses like running away, substance abuse, and truancy.⁷ This is not just of concern in other states – unfortunately, Washington “leads” the nation in incarcerating children for status crimes.⁸ Once in detention, girls do not often receive the help they need and may even be subjected to more physical and sexual abuse. Nine in ten girls reside in detention facilities with no licensed mental health counselors.⁹ Routine procedures, including the use of restraints and strip searches, often trigger symptoms of post-traumatic stress.¹⁰ One in

Women’s rights. Nothing less.

ten youth in state-operated detention facilities are sexually assaulted while detained; incarcerated girls are disproportionately subjected to this sexual violence.¹¹ Eight out of ten times, the perpetrator of sexual violence is a staff member; staff members are more likely to assault children of color.¹²

After a court of appeals decision jeopardizing the funding for the Center, the People's Moratorium has called for a halt on all construction activities until King County officials seek and receive more community input.

Because the Center is likely to significantly affect girls in our community, Legal Voice endorses a moratorium on construction while greater community input is sought and provided.

Sincerely,



Lisa M. Stone
Executive Director



Lisa A. Sterritt
President, Board of Directors

¹ Kimberlé Crenshaw, et. al. "Black Girls Matter: Pushed Out, Overpoliced and Underprotected," Center for Intersectionality and Social Policy Studies at Columbia Law School and the African American Policy Forum (2015), 6.

² King County Office of the Executive, "Juvenile Justice in King County," data through March 31, 2017. <https://www.kingcounty.gov/depts/executive/performance-strategy-budget/performance-strategy%20/criminal-justice-strategy-policy/youth-justice.aspx>

³ Malika Saada Saar, et. al. "The Sexual Abuse to Prison Pipeline," produced by the Human Rights Projects for Girls, Georgetown Center on Poverty and Inequality, and the Ms. Foundation for Women (2015), 7.

⁴ Cathy S. Wisdom and Michael G. Maxfield, "An Update on the 'Cycle of Violence,'" in Research in Brief, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice (2001).

⁵ "The Sexual Abuse to Prison Pipeline," 7.

⁶ "The Sexual Abuse to Prison Pipeline," 12.

⁷ Margaret Zahn et. al. "Girls Study Group: Understanding Girls' Delinquency," Office of Juvenile Justice and Delinquency Prevention (2008), 3.

⁸ Charles Puzanchara, "Juvenile Arrests" Office of Juvenile Justice and Delinquency Prevention (2013), 10.

⁹ "The Sexual Abuse to Prison Pipeline," 14.

¹⁰ "The Sexual Abuse to Prison Pipeline," 14.

¹¹ Melissa Sickmund and Charles Puzanchara, ed., "Juvenile Offenders and Victims: 2014 National Report," Office of Juvenile Justice and Delinquency Prevention (2014), 218; "Custody and Control: Girls in the Juvenile Justice System," Human Rights Watch and the American Civil Liberties Union (2006).

¹² "Juvenile Offenders and Victims," 218-219.