

# The Use of Detention for Non-Offender Matters in Washington State



WASHINGTON STATE CENTER  
FOR COURT RESEARCH

Amanda B. Gilman, PhD

Rachael Sanford

## IN WASHINGTON STATE IN 2019...

There were 999  
admission to  
detention for  
non-offender  
matters

616 unique  
youth were  
admitted to  
detention for a  
non-offender  
matter

9.4% of all  
detention  
admissions were  
for a non-  
offender matter

999

Admission



616

Youth



9.4%

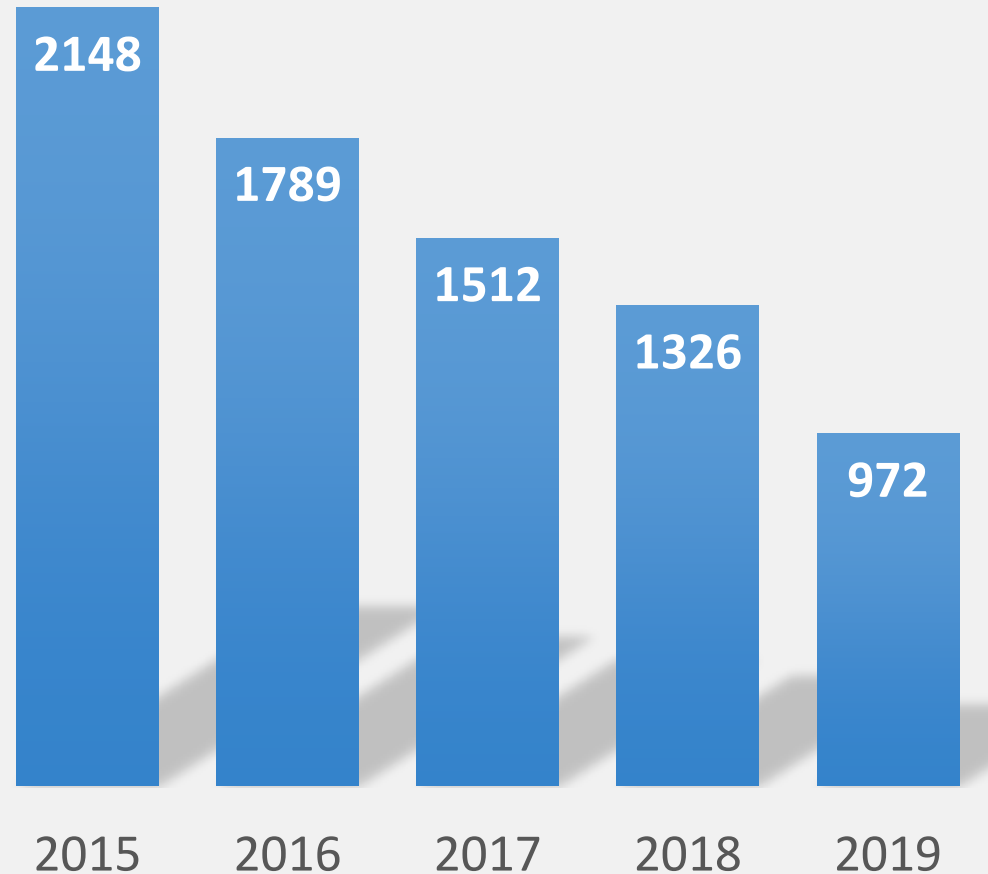
Of total admits





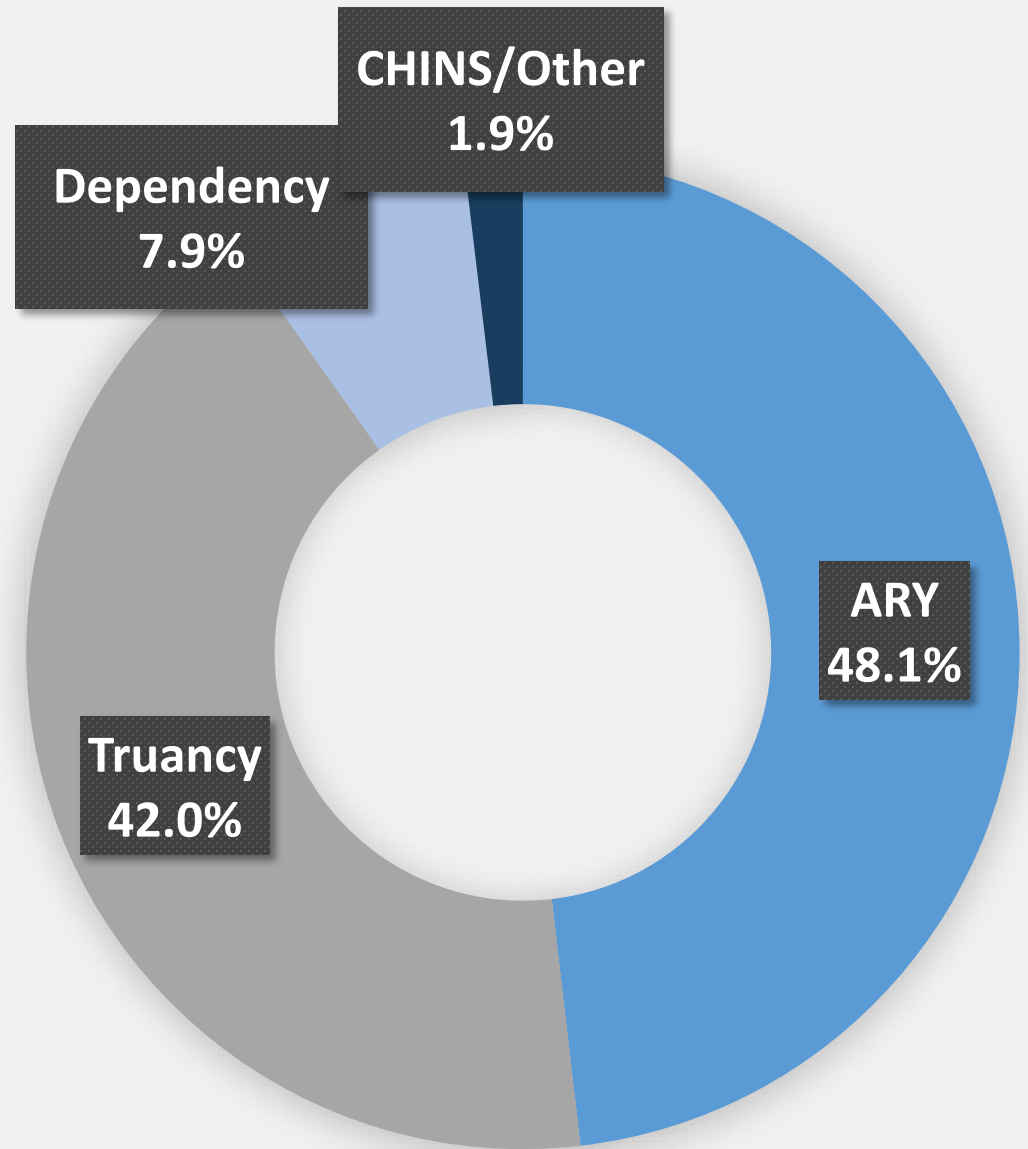
Across counties in 2019, the percent of total admission that were due to a non-offender matter varied from 0% to 44%

Between 2015 and 2019 there was about a 55% decrease in the number of admissions to detention for non-offender matters

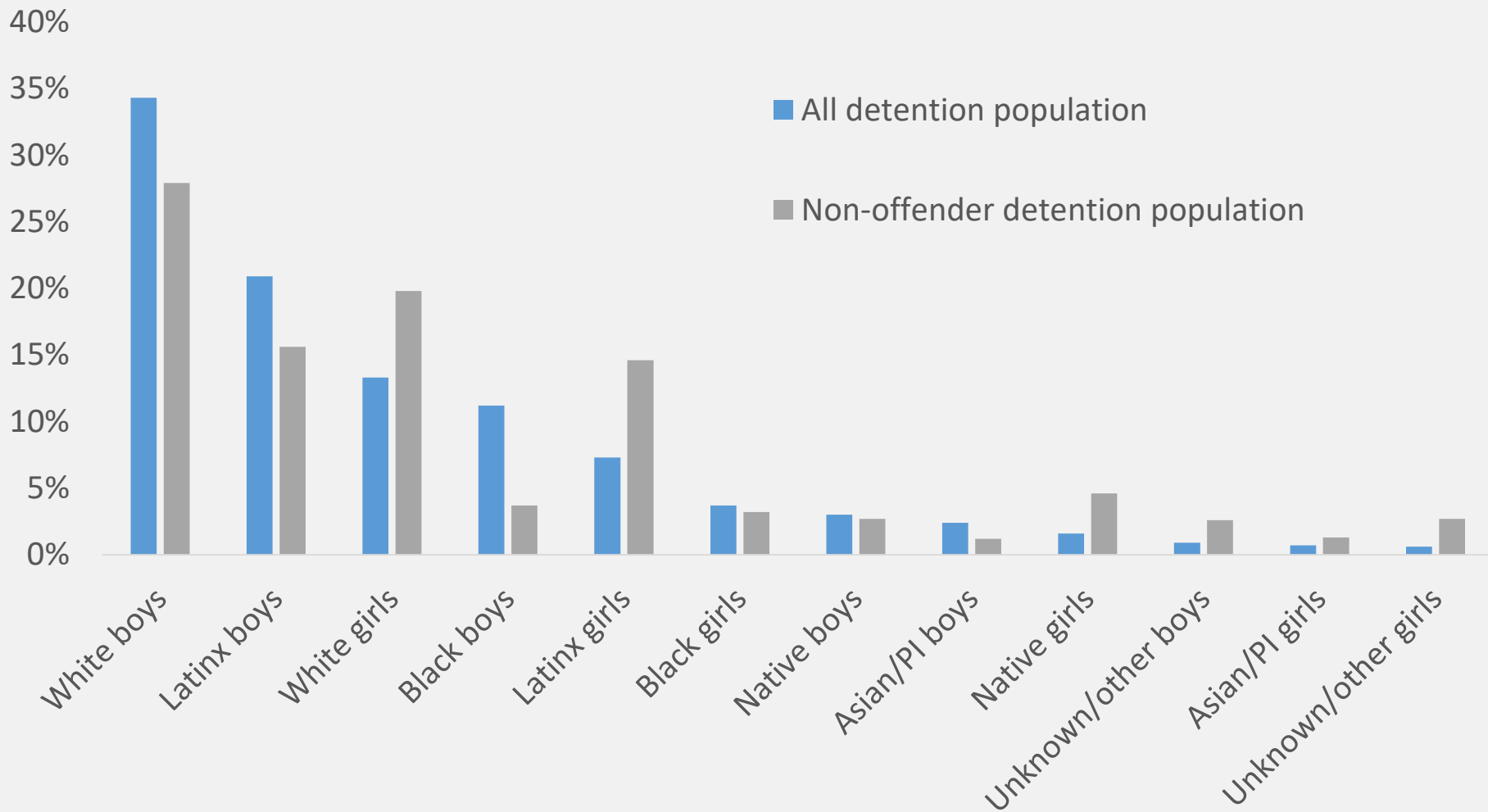


Note: excludes admissions from seven small counties for which we did not have complete data from 2015 to 2019, which is why the total admissions for 2019 on this slide differs from earlier slides.

In 2019 the most common reason for a non-offender detention admission was an ARY petition



The non-offender detention population includes a higher proportion of White girls and girls of color, than the general detention population



You are probably wondering...

How have recent events impacted  
juvenile detention?

What impact has the COVID crisis had on juvenile detention admissions?

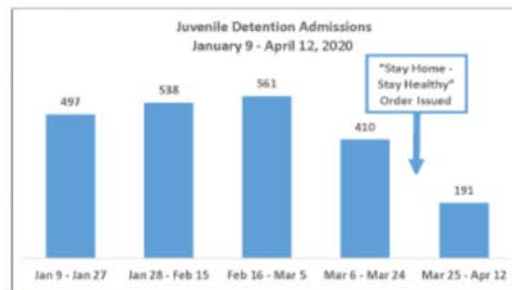


## Washington State Juvenile Detention

A snapshot of the use of detention during the COVID-19 crisis

Members of the Washington State Supreme Court asked the Washington State Center for Court Research (WSCCR) to examine the use of juvenile detention during the COVID-19 crisis. In particular, they asked for an overview of all youth in detention at the time of the request (early April, 2020) and admission counts from the beginning of the year through the current date for comparison. This research brief was produced in response to that request.

For questions, please contact Dr. Amanda Gilman at [amanda.gilman@courts.wa.gov](mailto:amanda.gilman@courts.wa.gov).



Following the “Stay Home - Stay Healthy” order, statewide admissions to juvenile detention centers dropped by up to two thirds, compared to earlier periods in January and February of 2020.

**Notes:**

1. There were 19 full days between when the stay-at-home order was issued and when we conducted our point-in-time count on April 13th. Thus, we show four other 19 day periods prior to the order, for comparison.

### Washington State Detention Centers and Point-In-Time Counts

On the evening of April 13, 2020 there were 164 youth in a detention facility in Washington State or a contracted out-of-state facility.

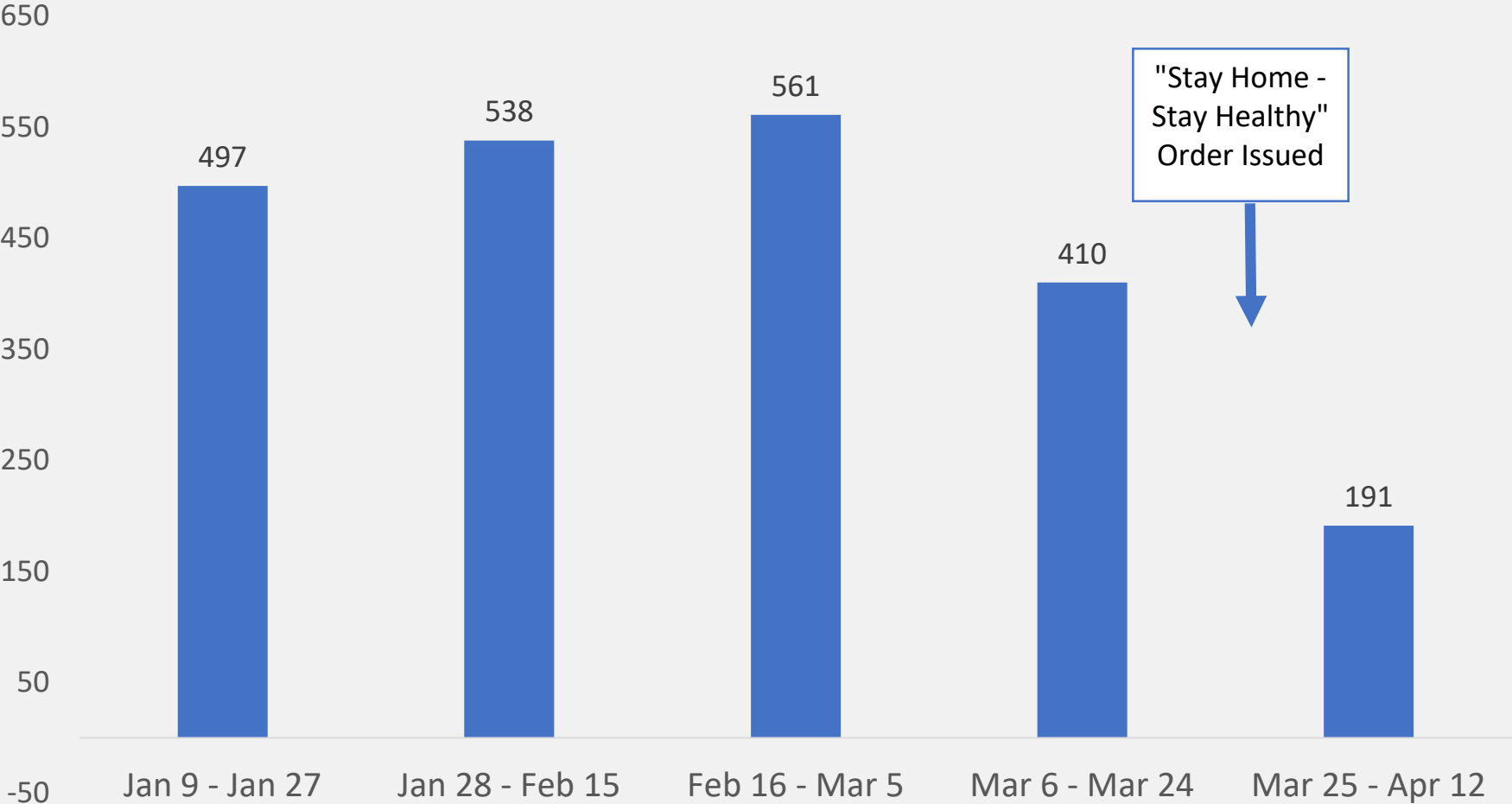


**Notes:**

1. The count excludes youth who were under the jurisdiction of a detention facility but were out on leave or furlough and were not physically in detention.  
2. Martin Hall was holding youth for Asotin, Douglas, Grant, Stevens, and Whitman Counties.



# Overall detention admission have drastically decreased as a result of the public health crisis



Our point-in-time count found that the majority of youth in detention on the evening of April 13th were admitted due to an alleged or adjudicated felony offense

- 66.5%** felony offense
  - 16.5% serious violent felony
  - 50.0% other felony offense
- 10.4%** misdemeanor offense
- 13.4%** violation of a court order
  - 13.4% offender
  - 0.0% non-offender
- 9.8%** unknown

What impact will SB 5290 have on detention admissions?

**SB 5290 - 2019-20**  
Eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior.  
Sponsors: **Darneille, Wellman, Kuderer, Randall**, Palumbo, **Das, Hasegawa**, McCoy, **Nguyen, Saldaña, Wilson, C.**  
Companion Bill: **HB 1434**

**Bill Status-at-a-Glance** ⓘ  
See **Bill History** for complete details on the bill

As of Tuesday, October 13, 2020 10:51 AM

**Current Version:** Engrossed 2nd Substitute - E2SSB 5290  
**Current Status:** C 312 L 19

**Where is it in the process?**

	Introduced	In Committee	On Floor Calendar	Passed Chamber
In the Senate:	●	●	●	●
In the House:	●	●	●	●
After Passage:	●	●	●	●
	Passed Legislature	On Governor's Desk	Governor Acted	Session Law

What impact will SB 5290 have on detention admissions?

Date	Detention no longer an option for...
July 1, 2020	Dependency and CHINS
July 1, 2021	Truancy
July 1, 2023	ARY

# Questions still remaining

- Will detention admissions return to previous levels?
- What are juvenile courts using in lieu of detention?
- How have decreased admissions affected racial/ethnic disparities?

*Thank you*

amanda.gilman@courts.wa.gov

Detention reports can be found at:

[www.courts.wa.gov/wsccl/](http://www.courts.wa.gov/wsccl/)