

Counties File Suit Against DCYF for Failure to Adequately House and Rehabilitate Juvenile Offenders

WSAC announced today that it is filing a lawsuit over the State's failure to adequately house and rehabilitate juvenile and young adult offenders.

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The Washington State Association of Counties (WSAC) announced today that it is filing a lawsuit over the state's failure to adequately house and rehabilitate juvenile and young adult offenders. The lawsuit, filed on behalf of WSAC's members, is in response to [a letter sent to county juvenile court administrators](#) on July 5th from Secretary Ross Hunter, Director of the state Department of Children, Youth, and Families (DCYF), announcing that DCYF would immediately suspend its "intake of youth and young adults in Juvenile Rehabilitation facilities." The letter cited the overpopulation of inmates at the Green Hill School and what it describes as a "deteriorating and dangerous situation."

DCYF oversees the operation of Green Hill School, a 180-bed medium/maximum juvenile facility that houses older males and young adults, and Echo Glen Children's Center, which houses younger males and females. WSAC believes the decision to suspend intakes results from the state's poor planning and decision-making regarding Juvenile Rehabilitation (JR) facilities.

WSAC Interim Executive Director Derek Young said, "This extraordinary announcement was made without notice or consultation with county officials. The State apparently gave no thought to the impact this decision would have on the rest of the system or the youth and young adults and their families. DCYF has a statutory obligation to admit youth and young adults into its JR facilities, and their decision not only risks the safety of our youth in the justice system but also transfers the State's current overcrowding and safety issues directly to counties. This is unacceptable."

The need for increased capacity in the state's JR facilities should have come as no surprise to DCYF. Several factors in recent years have pointed to a likely increase and the need to plan for additional capacity. The "JR to 25" legislation passed in 2018 allows youth with longer sentences to remain in the custody of the state JR facilities until age 25, increasing the term of stay for current and future residents. Other clear indicators include the court backlogs from the COVID pandemic that delayed sentencing for all kinds of offenders, including significant numbers of juveniles who are now entering the system, as well as the recent increase in juvenile crime statewide.

The state is legally obligated to sufficiently plan and budget to help its agencies meet their responsibilities. DCYF failed to prepare for the expected growth of young people in their facilities even though legal changes and other circumstances indicated the need. In fact, rather than expand its capacity, DCYF closed the Naselle Youth Camp in 2022, which held up to 150 young men ages 16-25.

“The issues that led up to this day were obvious and foreseeable. When the state greatly expanded the ages eligible for JR services, it was clear that DCYF’s capacity would need to expand. Instead, the agency reduced capacity but acted like the overcrowding problems at Green Hill and Echo Glen are a surprise,” said WSAC President and Skagit County Commissioner Lisa Janicki.

When DCYF announced that it would “suspend intakes,” Secretary Hunter assured the public, “This action does not mean juvenile offenders will be released. Instead of entering a JR facility, those sentenced to JR will remain in a county facility until the JR population reaches safe and sustainable capacity levels.”

Despite that assurance, some counties may be unable to house youth offenders long-term, and Secretary Hunter does not have the authority to ensure no offenders are released early. “Secretary Hunter’s statement isn’t that reassuring,” said WSAC Vice President and Lincoln County Commissioner Rob Coffman. “The counties remain uncertain that a court somewhere won’t order that youthful offenders be released early if they can’t be housed at a DCYF facility.”

WSAC’s lawsuit seeks to compel DCYF to end its suspension of intakes and fulfill its statutory obligations.

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About WSAC:
Created in 1906, the Washington State Association of Counties (WSAC) is a voluntary, non-profit association serving Washington’s 39 counties. WSAC members include elected county commissioners, council members, and executives.

WSAC provides various services to its member counties, including advocacy, training, workshops, and a forum to network and share best practices. WSAC also serves as an umbrella for affiliate organizations representing county road engineers, local public health officials, county administrators, county planners, emergency managers, county human service administrators, solid waste managers, clerks of county boards, and others.

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