

# Child Welfare, Juvenile Justice, Housing



In the 2020-2021 legislative session, WA passed several promising juvenile justice, child welfare, and housing bills centered on trauma-informed care and education, restorative justice programs, and access to resources for incarcerated/formerly incarcerated youth. In order to address institutional injustices in our education system and criminal legal system, WA state advocates and policymakers are beginning to implement laws that aim to minimize incarceration rates, such as HB 5290 which works to divert youth who have committed status offenses away from detention centers and HB 1186 which provides juvenile rehabilitation and community transition services for system involved youth.

The United States has experienced a growing epidemic of mass incarceration and accelerating rates of homelessness. While these issues affect many communities today, BIPOC\* girls\*\* are disproportionately impacted (i). Youth arrests and detainment often begin in the education system. Black girls experience heightened forms of punishment in schools for minor infractions, consequently creating a pathway into the school to prison pipeline (ii).

These areas of concern often become intensified for dually involved girls who have experienced both out-of-home child welfare placement and juvenile justice system involvement. Girls and gender expansive youth are over-represented in WA state's population of dually involved youth (iii). The child welfare system inadvertently serves as a feeder system into the juvenile justice system, as youth that have at least one criminal charge were often displaced through the child welfare system previously. Furthermore, girls with child welfare involvement are more likely to be detained or charged with serious crimes compared to those without child welfare involvement (iv).

These increased rates of criminalization and alienation inflicted upon dually involved girls often lead to a variety of experiences that can harm their health and wellbeing such as being 1.6x more likely to have a teen pregnancy, being 2.2x more likely to be diagnosed with a mental illness, and being 2.7x more likely to be diagnosed with a substance use disorder in comparison to youth who have had contact with the justice system but have never been involved in the foster care system (v). Many of these issues can lead dually involved girls to face higher rates of homelessness, system involvement, hospitalizations, and more in their adulthood (vi).

We believe it is imperative that our state addresses these disparities and provides resources to help protect youth of color in systems that frequently fail to meet their needs and address the underlying reasons girls and gender expansive youth become involved in these systems.

\*\*\*"Girls" refers to gender expansive youth (cis girls, trans girls, non-binary youth, gender non-conforming youth, gender queer youth and any girl-identified youth).

\*BIPOC refers to Black, Indigenous, and People of Color. We use BIPOC to center the unique experiences of Black and Indigenous communities and to avoid generalizing all people of color. For more information please visit this page: [YWCA: Why We Use BIPOC](#).

#### Sources:

i. American Civil Liberties Union (ACLU). "Mass Incarceration".

ii. Bronson, Eric. "What is the School-To-Prison Pipeline?". YWCA. 29 Sept 2020.

iii. Washington State Institute for Public Policy. "Dually Involved Females in Washington State: Outcomes, Needs, and Survey of Approaches to Serve This Population". Nov 2019.

iv. Office of Innovation, Alignment and Accountability. "OIAA Research Brief: WSIPP Study of Dually Involved Females". 22 Apr 2020.

v. Office of Innovation, Alignment and Accountability. "OIAA Research Brief: WSIPP Study of Dually Involved Females". 22 Apr 2020.

vi. Office of Innovation, Alignment and Accountability. "OIAA Research Brief: WSIPP Study of Dually Involved Females". 22 Apr 2020.

# Washington Bills Signed into Law in Recent Years

## Trauma Informed Care

HR 5139: Stop Sexual Assault and Harassment in Transport Act

S 924: Jenna Quinn Law: amends the Child Abuse Prevention and Treatment Act (CAPTA)

HR 7718: Protecting the Health and Wellness of Babies and Pregnant Women in Custody Act

SHB 1325: Implementing policies related to children and youth behavioral health

SHB 1363: Addressing secondary trauma in the K-12 workforce

HB 2873: Providing family reconciliation services that are trauma-informed and community-based  
\*Mockingbird Priority

## Restorative Justice

HB 5290: Eliminating the use of the valid court order exception to place youth in detention for noncriminal behavior

\*Mockingbird Priority, JFG priority, WACHYA priority

HR 8118: Protect Black Women and Girls Act of 2020

HB 1186: Concerning juvenile rehabilitation and community transition services

HB 1090: Prohibit private, for-profit detention in Washington  
\*WSCADV priority

SB 5184: Establishing a building point of contact in all K-12 public schools for students in foster care

## Educational Equity

HB 1295: Providing public education to youth in or released from institutional education facilities

SB 5184: Establishing a building point of contact in all K-12 public schools for students in foster care

## Housing Accessibility

HB 1166: Expanding access to the homeless and foster care college students pilot program

HB 1277: Providing an additional revenue source for eviction prevention and housing stability services  
\*WSCADV priority, WLIHA priority, WACHYA priority

HB 1236: Penalizing the inclusion of unlawful lease provisions and limiting the reasons for eviction, refusal to continue, and termination  
\*WSCADV priority, WLIHA priority, WACHYA priority

HB 1220: Supporting emergency shelters and housing  
\*WLIHA priority

SB 5160: Addressing landlord-tenant relations by providing tenant protections  
\*WSCADV priority, WACHYA priority

### Recent WA State Legislature Supported Efforts:

In November 2019, the Washington State Institute for Public Policy (WSIPP) created a 60 paged report that analyzed statistics on dually involved girls in order to explore ways to reduce harm and better support this demographic. Additionally, the report helped to illuminate racialized and gendered biases embedded in our criminal legal and child welfare system.

### King County Commercially Sexually Exploited Children (CSEC) Efforts:

King County established the CSEC taskforce in order to address issues of sexual exploitation and human trafficking in WA state. CSEC has made immense efforts to not only provide resources and aid for survivors, but has also worked to create innovative policies that will dismantle the institutions that sexually exploit children.

# Emerging Ideas: State Level

## San Francisco Healing Justice Initiative

- A community based organization which works to reduce incarceration rates by promoting restorative justice practices and victim healing.
- Provides funding for other community or local organizations to invest in community healing and support.

## Areas of Focus for Future Policies

### Trauma Informed Learning

- Create professional development training that help educators recognize signs of trauma in students.
- Create policies that support students and provide resources to help them heal of their trauma, rather than being punished for their reactive behavioral responses when triggered.
- Promote safety and trauma reducing policies in schools.

### Juvenile Rehabilitation

- Connect youth to proper rehabilitation services prior to/post incarceration.
- Allow students to access rehabilitation or therapeutic services through schools or school based health centers.

### Community Based Services

- Create policies that will help reintegrate youth into local communities post incarceration.
- Create community based restorative justice practices.