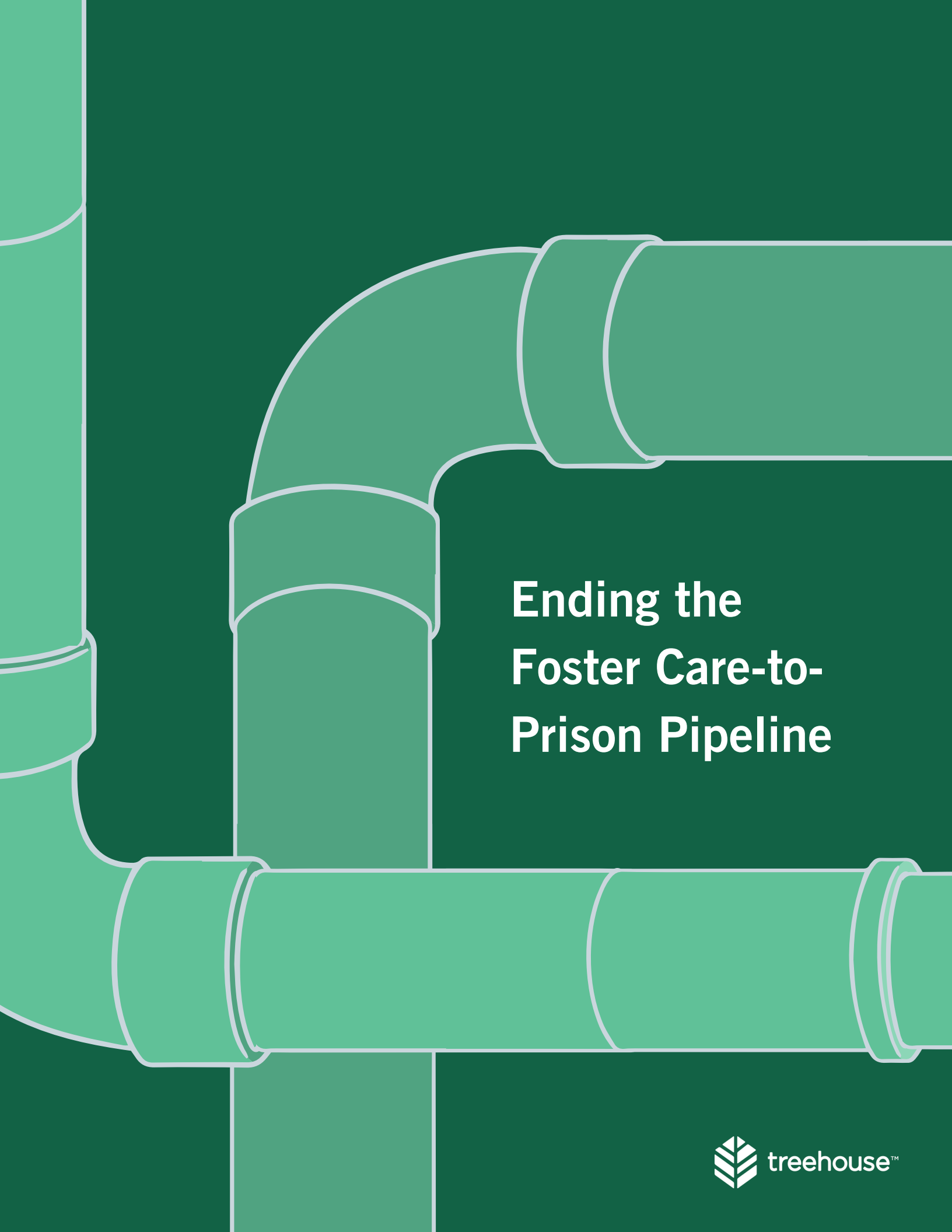

Ending the Foster Care-to-Prison Pipeline

treehouse™

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We acknowledge and express sincere gratitude to the many others, including lived experts, researchers and partners, who have worked tirelessly to identify and derail the Foster Care-to-Prison Pipeline.

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Reflections

When discussing the education, child welfare and legal systems, it is crucial to confront the experiences of marginalized communities, particularly the racial oppression endured by Indigenous and Black populations. These systems wield a daunting power—the authority to forcibly remove children and youth from their homes and cultures, sometimes permanently separating them from their families and communities. This exercise of power is reminiscent of historical atrocities, such as the forced migration of countless Black bodies across the Atlantic and the displacement of Indigenous communities from their ancestral lands. Additionally, it evokes the painful legacy of boarding schools—places where Indigenous youth were forcibly sent, enduring cultural erasure, separation from families, and the suppression of heritage and identity. The pervasive practices of exclusion and forcible separation from homes and cultural communities persist within our state and national institutions, significantly contributing to what is known as the foster care-to-prison pipeline.

In the child welfare system, Black and Indigenous youth are persistently overrepresented. In 2021, Child Trends highlighted these racial disparities—Black youth, who made up 14% of the total youth population, comprised 22% of those in foster care and Indigenous youth, who made up 1% of youth population, accounted for 2% in care [1]. Similar trends are also observed in the Washington state child welfare system [2].

Black and Indigenous students are disciplined at higher rates than their White peers. The 2017-18 U.S. Department of Education data revealed threefold higher suspension and expulsion rates for Black students than White students [3]. Although Indigenous students made up 1% of the student population, they are overrepresented at 3% of the suspension and expulsion rates [3].

Similar disproportionality is observed in the juvenile legal system. The Office of Juvenile Justice and Delinquency Prevention in 2019 revealed Indigenous youth were 1.5 times more likely, and Black youth 2.4 times more likely, to be arrested compared to White youth [4]. Washington State Courts highlighted that almost half of referred youth had a history of involvement with the child welfare system [5].

In this study, we made a conscientious effort to achieve a diverse representation within the council, encompassing factors like race, gender, age and sexuality. However, it is important to recognize the study limitations, most notably the absence of Indigenous lived experts and the adequate representation of gender non-conforming and LGBTQIA+ individuals. This lack of representation among council members, coupled with design limitations in the study, resulted in an inability to critically examine the unique racialized and gendered experiences of council members.

However, this experience has provided us with valuable insights on how to approach future work more intentionally. Goals for future efforts include a strong commitment to integrating critical frameworks that consider race, disability status, gender and sexual orientations. It is imperative to better comprehend and address the disparate outcomes faced by specific identity groups within the education, child welfare and legal systems. This will allow us to work towards a more just and equitable approach to our systems change efforts directed at the education, child welfare and juvenile legal systems.

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[1] Annie E. Casey Foundation, 2020. Black Children Continue to Be Disproportionately Represented in Foster Care.
[2] DCYF (2019). 2019 Washington State Child Welfare Racial Disparity Indices Report.
[3] U.S. Department of Education Office for Civil Rights. Civil Rights Data Collection, 2017-18. State and National Estimations released June 2021.
[4] Office of Juvenile Justice and Delinquency Prevention (OJJDP, 2022). Racial and Ethnic Disparity in Juvenile Justice Processing.
[5] Washington State Center for Court Research (2014). Prevalence and Characteristics of Multi-System Youth in Washington State.

Table of Contents

Foreword

The Origin and Genesis of this Foster Care-to-Prison Pipeline Project, Community and Notes on Language

Arthur Longworth

The work from which this report grew began in the deepest part of the belly of the pipeline: in prison. In 2016, inside the more-than-century-old walls of the Washington State Reformatory in Monroe, Washington, people with lived experience in foster care coalesced as a community with the intent to bring attention to the fact that a vastly inordinate number of dependent youth—youth who are put into the foster care system and are state "dependent"—are spit out of foster care each year and directly into the juvenile and adult legal systems. Every member of this lived-experience community had either begun their incarceration while they were in the foster care system or shortly after they aged out. We ranged in age from 18 to 50 years old and represented a considerable portion of the prison's population, underscoring the chronic and systemic nature of the problem.

There was no need to persuade anyone in this lived-experience community of the imperative to unify our voices into a collective attempt to be heard. I know because I was there; I was incarcerated and part of the collective. We felt a natural affinity and cohesiveness as a community inside an institution in which people from our life experience are, literally, stacked on top of each other: body on top of body and generation on top of generation.

However, organizing in prison is a challenge, no matter how unified and determined you are: incarceration is a physical extrication from society and disenfranchisement from civil engagement. Organizing is especially challenging when you are part of a community that has been structurally disappeared—the state does not acknowledge your existence because it does not comprehensively report on dependent youth who end up in its carceral facilities. It is even more of a challenge when you and your community are afflicted with compounded trauma and you enter the institution with only a 7th- to 9th-grade education.

The terms "lived experience" and "lived expertise" are often used interchangeably outside our community, as though they are synonymous. We learned quickly that we needed to distinguish "lived experience" from "lived expertise." Since our community's distinction is integral to how this work and project developed, let me delineate it here:

- Lived Experience means the community member was raised in the foster care system and, subsequently, holds firsthand experiential knowledge. They have a voice and stake in the community that is no less than any other member and they are a vital part of any consensus.

- Lived Expertise means a community member has developed their lived experience into a skillset that enables them to be effective in working toward the community's goals. They demonstrate a greater consciousness of foster care-to-prison pipeline dynamics than just their own experiential knowledge. And, importantly, they can articulate the unique trauma and complexities, as well as skills and inner resources of individuals from their community.

Our lived-experience community empaneled a council of five lived experts that we deemed the "State-Raised Working Group." "State-raised" was the term we rallied the community around because it is a term only applied to our community in prison (i.e., individuals who were incarcerated as dependent youth).

Our job in the State-Raised Working Group was to develop strategies and partnerships that moved our community towards its goal of making the foster care-to-prison pipeline visible. In pursuit of that end, we forged a partnership with Washington Appleseed, a small nonprofit legal advocacy organization. We wanted to find a way to compel the state to count, and make public, the number of dependent youth it incarcerates in its juvenile and adult carceral facilities.

From the outset of the partnership, a woman from Treehouse accompanied the people from Appleseed into the prison. She sat in community with us, asked questions and listened. She was startled by what she saw and heard: it was a revelation to her that most of us had not made it to the 9th grade in school, that everyone in our community had a story linked by the common thread of experience in the foster care system and that generations of us were stacked on top of each other in that place (prison). She also seemed conflicted by our communal use of the term "state-raised," which she had not heard before. The woman was Dawn Rains, now CEO of Treehouse.

In 2017, not long after initiating the partnership with Appleseed, the organization's executive director announced the nonprofit's impending dissolution and, consequently, cessation of the work we had begun. By that time, we were running educational seminars inside the prison for social work interns from the University of Washington School of Social Work, as well as representatives from the Boys & Girls Club of America, Amara, juvenile probation officers and attorneys advocating for juvenile-legal system-impacted dependent youth.

A drowning feeling swept throughout community—an intimately familiar sensation inside an institution in which your community has been buried and made invisible. We had accomplished so much in the brief time we were organized. We knew we were beginning to make the problem visible. Facing the potential end of that work felt like our communal head being pushed underwater.

However, because Dawn Rains and Treehouse stuck with us, and Jeff and Tricia Raikes at the Raikes Foundation believed in us, our community did not drown.

Through working with Dawn, our lived-experience community gained an uncommon experience for incarcerated people—communication and personal relationships with influential individuals from outside the institution. These relationships helped us push this work forward. And, especially relevant to our evolvement as a community, Dawn brought us into proximity with guests who had lived experience of foster care but no direct experience of incarceration. These latter interactions triggered a perceptual shift in our community because, up to that point, almost everyone we knew who grew up in foster care went on to be incarcerated; the fact that someone could be raised in foster care and not end up homeless, dead or in jail was a revelation to many of us. The shift, or broadening of our communal perception, has also helped us envision foster care that does not function as a pipeline for funneling youth into the juvenile and adult legal systems. It also informs the more inclusive way we now organize our community to do this work.

Although "state-raised" is a term coined in carceral facilities by individuals incarcerated while experiencing foster care, the expression and metaphor of a "pipeline" into juvenile-legal system contact and prison is not. Our community believes it is important to acknowledge that we adopted the term (with permission) from work being done by incarcerated Black men (Black Prisoners Caucus) on what their community terms the School-to-Prison Pipeline: under-resourced schools creating a pipeline to juvenile-legal system contact and incarceration by increasing reliance on racially disparate, punitive practices and policing rather than teachers and educational resources.

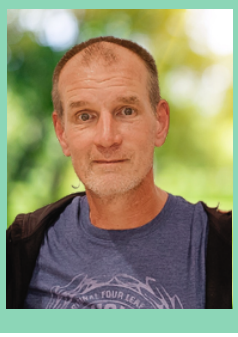
However, our community did not immediately embrace the term "foster care-to-prison pipeline." There was an internal debate that began in the State-Raised Working Group and spread through the rest of the community, weighing the aptness against ineptness of using the metaphor of a pipeline to attempt to encapsulate the longstanding systemic inequities that deliver youth experiencing foster care into prison and other lifelong systems of surveillance and stigma.

Those of us with lived experience do not believe a pipeline transporting bodies from one state system to another is an accurate allusion of the experience of a young person moving between foster care placements and juvenile-legal system custody. Both the foster care system and juvenile-legal system treat their charges similarly, which makes the experience for a youth embedded in both systems indistinguishable. In other words, the experience of the young person is not that they cross from one system to another (i.e., from foster care to the juvenile-legal system). Rather, their experience is that they are being moved around in the belly of a single, all-encompassing system—"The State."

A pipeline is also merely a conduit, which does not speak to the inexorable force, or current, that pulls young people afflicted with the contextual reality and compounded trauma of foster care into juvenile-legal system involvement. The current pulling youth into the mouth of the pipeline may be invisible to the rest of society, but it is real and too often inescapable for them.

A pipeline is neutral, even innocuous; it is not inherently harmful. Pipelines are not instituted to exact misery under an ill-conceived auspice of accountability. Whereas incarcerating young people with compounded trauma and not providing them with an adequate education or housing and resources upon release, is unspeakably harmful.

After debate, however, the community consensus was to adopt pipeline, despite its deficiencies, to facilitate public consciousness. We hope no one envisages the Foster Care-to-Prison Pipeline too literally, though. Because, from the perspective of the lived-experience community, a structural inequity that funnels so many of our young people into incarceration is not really a pipeline at all. It is a Beast.



Arthur Longworth is a Policy Specialist at Treehouse, working to remediate the systemic inequity that traps young people at the intersection of foster care, education and the juvenile legal system.

Glossary

Council members
Refers to the lived expert participants who participated in this study. Council members included lived experts who experienced only the child welfare system and those who were dual-system impacted youth.

Department of Children, Youth and Families (DCYF)
Washington state's lead agency for state-funded services that is intended to support children and families. DCYF administers the Child Protective Services' investigations and Family Assessment Response, licensed foster care and adoption support along with Juvenile Rehabilitation and Early Childhood Education.

Department of Children, Youth and Families Juvenile Rehabilitation (DCYF-JR)
The juvenile legal (a.k.a. justice) system that serves Washington state's youth that are committed into custody by any county juvenile court. Youth committed to JR custody have court-determined minimum and maximum sentence terms and the institution establishes criteria for release of a youth from residential care.

Dual-system inclined youth
Youth with active or past involvement in the child welfare system (i.e., foster care) who are/were predisposed to factors that increase risk of involvement with juvenile and/or adult legal system.

Dual-system involved youth
Active child welfare and juvenile system involvement ((i.e., diversion; probation; restitution; incarceration; post-release supervision).

Dual-system impacted youth
Previously active child welfare and juvenile-legal and/or adult system involvement (i.e., diversion; probation; restitution; incarceration; post-release supervision).

Juvenile and Adult Legal Systems
Synonymously refers to the juvenile and adult justice systems, specifically the legal frameworks and procedures designed for individuals from youth through young adulthood within the context of the criminal legal system.

Office of Superintendent of Public Instruction (OSPI)
Primary Washington state agency charged with overseeing public K-12 education. OSPI allocates funding and provides tools, resources and technical assistance to provide a high-quality public education to every student in the state.

Probation trap
Refers to the circumstances that dual-system involved youth encounter while on probation, leading to increased risk of reoffending and further involvement in the legal system.

State-dependent youth
A child that the court has placed in the care authority of the state, which may include being removed from their home and biological family. In this report, this is synonymous with youth experiencing foster care.

Survival crimes
Regulatory offenses—such as sleeping on the street and stealing food and clothes—employed to secure basic survival.

Systems agent
Individuals, positions or roles within societal systems (e.g. child welfare, legal system, education system) who hold a degree of influence and responsibility, directly affecting the functioning, policies and outcomes of their respective systems (e.g. social workers, foster parents, police, judges, prosecutors, teachers, school resource offers).

Executive Summary

State-dependent youth are disproportionately represented within the juvenile and adult legal systems in Washington state. Washington state social service institutions have reported that 40% of youth in juvenile rehabilitation facilities have experienced foster care and 20% of youth aging out of foster care encountering the legal systems within one year [6]. In Fall 2022, Treehouse, in partnership with Washington state's Department of Children, Youth and Families (DCYF) and the Raikes Foundation, announced an initiative to disrupt the foster care-to-prison pipeline. Treehouse partnered with a council of lived experts to address the following questions:

- **What are the lived experiences and challenges faced by individuals and communities who have experienced foster care and subsequently become dual-system involved in both the foster care and juvenile and adult legal systems?**

- **What insights and recommendations do lived experts provide for disrupting the foster care-to-prison pipeline, and what specific systemic reforms are necessary to effectively implement these recommendations and prevent the disproportionate criminalization of youth in foster care in Washington state?**

> **All of our youth deserve a chance to heal from their trauma, discover their worth and access opportunities.**
>
> Arthur Longworth
>
> *State-Raised Lived-Expert and Treehouse Policy Specialist*

In partnership, Treehouse staff and lived expert council members engaged in a review of existing literature on state-dependent youth representation in the juvenile legal system, interviewed and engaged in story-sharing through dialogic sessions with experts and stakeholders, performed a thematic analysis and provided recommendations for policy changes and direct-service support based upon the findings.

Findings revealed a consistent theme: Addressing state-dependent youth disproportionality in the juvenile and adult legal system requires cross-system collaboration and multi-system approaches. The disproportionality of state-dependent youth in the juvenile legal system is a product of layers of compounded trauma and inequities that occur within the child welfare, educational and juvenile and adult legal systems.

[6] DSHS (2016) Council Institute of Medicine (2001). The development of delinquency. In Juvenile Crime, Juvenile Justice. National Academies Press Washington DC.

A summary of the recommendations is below. These were developed in close partnership with the lived expert council and designed to address specific factors identified in this research. They are ambitious, multi-systemic, and will likely take long-term, coordinated, cross-organizational efforts to implement. The full set of recommendations with detail and backing rationale can be found in the Dismantling the Pipeline section toward the end of the report.

Recommendation 1:
Dual-system involved youth should experience consistent, equitable access to high-quality educational support services before, during and after legal system involvement to ensure access to basic education in accordance with the paramount duty of the Washington State constitution.

Recommendation 2:
State-dependent youth should have access to meaningful behavioral health-related crisis response services that connect them with appropriate short- and long-term health/mental health care instead of incarceration.

Recommendation 3:
The legislature should require that OSPI identify, track and publicly report education outcomes data for dual-system involved youth on the OSPI report card for all reporting categories currently required for other demographic groups.

Recommendation 4:
Dual-system involved youth receive equitable treatment in sentencing and access to diversion when facing the juvenile and adult judicial systems.

Recommendation 5:
Dual-system involved youth experience placement/housing security, stability, support and educational continuity after being discharged from the juvenile legal system or county facilities.

Recommendation 6:
Legal financial obligations (LFOs) for youth and young adults (up to 25 years old) should be eliminated and true compensation for survivors of crime should be provided.

Introduction

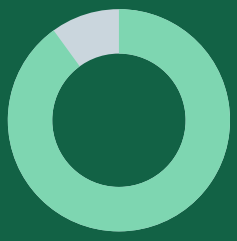
Policy Efforts to Establish Institutional Education Oversight and Accountability in Washington State

In 2017, Governor Jay Inslee signed legislation establishing the Washington State Department of Children, Youth and Families (DCYF), integrating early learning, child welfare and juvenile rehabilitation services in the same agency to increase inter-agency collaboration and improve outcomes. Since 2017, the legislature has passed several important bills related to youth impacted by the criminal legal system, including but not limited to:

- House Bill 1295 (2021-22): Established and modified duties for OSPI and DCYF; established a temporary Institutional Education Accountability work group.
- House Bill 1679 (2023-24): Expands Project Education Impact, a legislatively mandated workgroup focused on improving educational outcomes for students experiencing foster care or homelessness, to address the needs of students in or exiting juvenile rehabilitation facilities.
- House Bill 1701 (2023-24): Makes OSPI, beginning September 1, 2027, responsible for the delivery and oversight of basic education services of legal system-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of the Department of Social and Health Services (DSHS); directs OSPI to develop a timeline and plan to delineate basic education responsibilities; establishes a joint select committee on governance and funding for basic education and directs it to examine and evaluate revisions to statutes, funding formulae, funding sources and operating and capital budget appropriation structures as necessary to assign OSPI with the responsibility for the delineated basic education responsibilities.

In Washington state:

According to DCYF, 40% of youth in juvenile rehabilitation facilities have experienced foster care.



90% of youth with 5+ foster placements will enter the legal system.

Source: Children and Youth Services Review, Juvenile delinquency in child welfare: Investigating group home effects

These policy efforts signal interest in addressing challenges. However, a community-based/lived-experience analysis of outcomes and experiences reveals that state-dependent youth impacted by the juvenile and adult legal system currently face many of the same chronic challenges they have for generations, including lack of access to basic education.

Accountability for institutional education broadly, and the specific educational and life outcomes of criminal legal system impacted state-dependent youth, is a can we have kicked down the road for decades. DCYF, OSPI, Local Education Agencies (LEAs) and the legislature have evaded the issue for too long. We owe all youth—and specifically state-dependent youth—decisive, transparent and collaborative action.

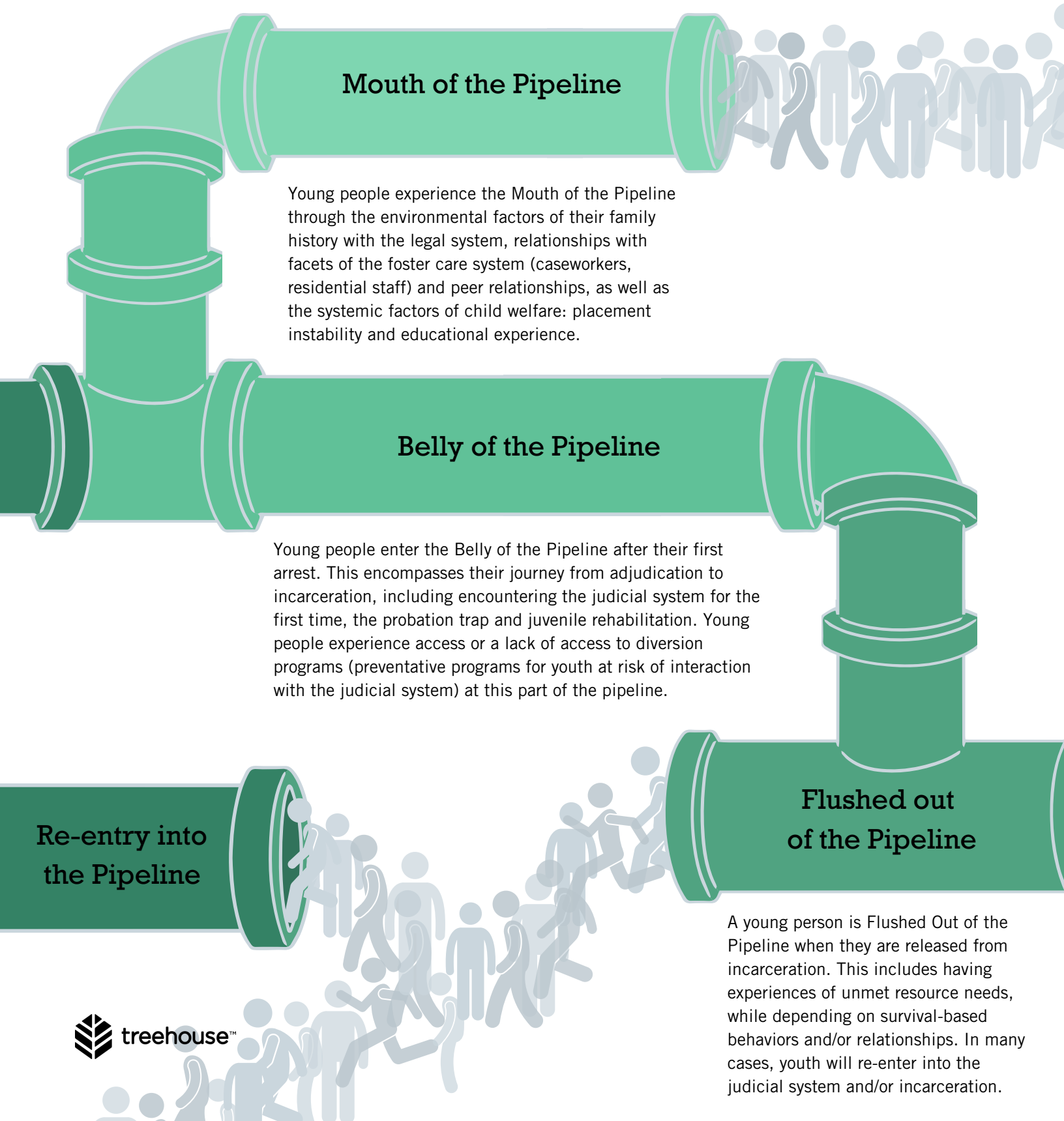
This report is intended to catalyze a different kind of understanding and community response by centering the lived experience and expertise of individuals directly impacted by foster care and the criminal legal system. We at Treehouse are committed to working to the best of our ability to understand the lives and insights of those impacted by the foster care-to-prison pipeline. We believe doing so is the only way to dismantle the systemic inequities that create and sustain this pipeline.

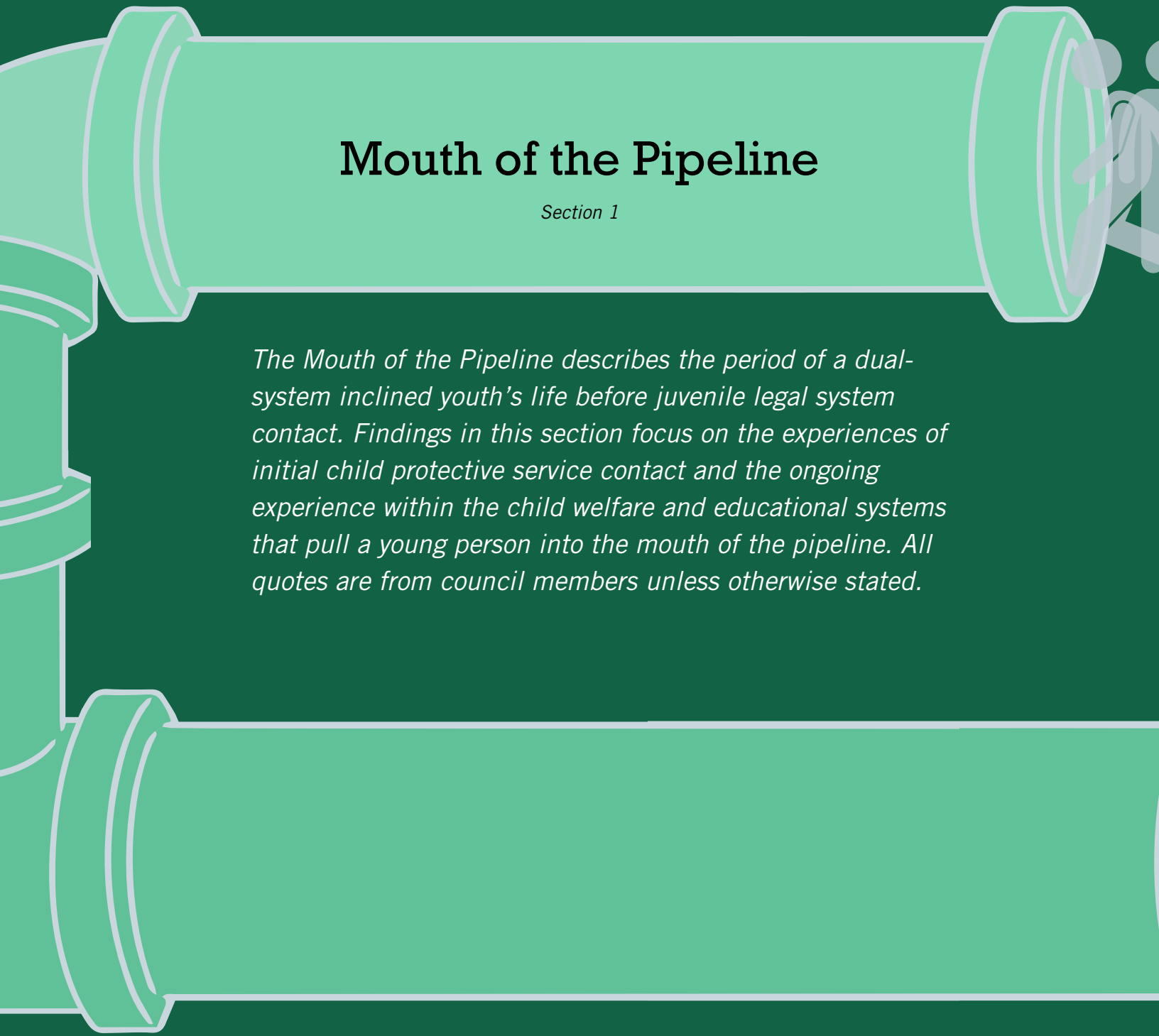
The Approach to Research

We formed a council of lived experts—the State-Raised/Lived-Expert Council—to engage in a participatory research project, allowing council members to lead the design and participate in analysis processes. The 12-member council group conducted a review of existing literature on the links between the foster care and the juvenile and adult legal systems with a primary focus on Washington state. Additionally, the council conducted dialogic sessions and interviews to unveil the unique individual and lived experience of navigating the foster care systems and ensnarement in the juvenile and adult legal systems. During a few dialogic sessions, council members interviewed systems players, including Treehouse direct service employees, adolescent psychiatrists and leaders from organizations committed to addressing youth housing and educational needs. During the analysis stage, council members and the researcher identified common themes that emerged from state-dependent youths' experience in the foster care system that funnel them into the juvenile and adult legal systems, along with recommendations to derail the pipeline.

The Foster Care-to-Prison Pipeline

Through our work with the State-Raised/Lived-Expert Council, we mapped out factors that lead a young person through the pipeline. Below, you can see the journey through the pipeline. In this section, we will analyze all factors that contribute to each piece of the pipeline.





Mouth of the Pipeline

Section 1

The Mouth of the Pipeline describes the period of a dual-system inclined youth's life before juvenile legal system contact. Findings in this section focus on the experiences of initial child protective service contact and the ongoing experience within the child welfare and educational systems that pull a young person into the mouth of the pipeline. All quotes are from council members unless otherwise stated.

Factor 1.1: Early Childhood and Intergenerational Legal System Involvement

> **"Usually, if your parents are involved with the justice system, then everybody around them, their friends too are involved with the justice system, and that is just your whole childhood... And what you're learning is what the people around you—especially the grown ups [are doing]. You learn to look up to someone. I had somebody I called uncle, I thought he was the greatest dude in the world, he was a criminal though, but that was my role model early on."**

Early childhood experiences and intergenerational factors shape a trajectory that leads youth to become involved with both the foster care and juvenile legal systems (i.e. dual-system involved). Intergenerational legal system involvement establishes a cycle normalizing legal entanglements within families and communities [7]. Moreover, council members conveyed that conflicting emotions stemming from early childhood experiences of abuse and neglect by caregivers contribute to harmful behavioral patterns. Children often mimic role models within their immediate environment, even when those models engage in behaviors leading to involvement in the juvenile and adult legal systems [8]. These dynamics in early childhood illustrate how the intergenerational transmission of legal involvement and maltreatment molds a young person's understanding of normative behavior, role models and emotional responses. This can propel them toward involvement with the foster care and juvenile adult legal systems (i.e. dual-system inclined).

> **"The first few encounters of expressing, 'Hey, I've gotten hurt, or this abuse came from my parent,' and then getting the consequence of being taken into the [foster care system] at this time, the child may have gotten harmed by the parent, but still have this unwavering love and devotion from the parent. Like 'this is my mom, my dad, my uncle... my support network'. And that [experience] can foster unintended harmful behavioral patterns like not being able to speak up when somebody is doing harm."**

> **"Both my parents were like in prison. So it was like a generational thing too."**

> **"I was born in prison. My mother was in prison when I was born."**

[7] Department of Justice (2017). Hidden consequences: The impact of incarceration on dependent children. National Institute of Justice.
[8] National Research Council Institute of Medicine (2001). The development of delinquency. In Juvenile Crime, Juvenile Justice. National Academies Press Washington, DC.

Factor 1.2: Encounters with Law Enforcement

The intersection of the child welfare and legal systems frequently results in children interacting with social workers and law enforcement during their childhood [9], significantly influencing their development and well-being. Council members shared similar experiences from their childhood encounters with law enforcement, often occurring before the age of eight while in the care of family members. Initial encounters were described as distressing and traumatic, marked by aggressive interactions between law enforcement and their family members. Some members shared that these early interactions led to a negative perception of authority, affecting their willingness to seek help, cooperate with authorities or navigate these systems as they mature.

These early perceptions of law enforcement and authority figures wield considerable influence in steering state-dependent youth toward the juvenile and adult legal systems. Council members experienced at an early age that protective networks of responsible adults are scant and accountability is absent. Consequently, a propensity to resist complying with rules, regulations and directives from adults in the system becomes pronounced [10]. Council members shared that police encounters failed to demonstrate a helpful presence, and instead police opted for punitive measures that compounded the distress of these youth.

For council members and many other state-dependent youth, interactions between families and police officers often result in referrals to the child welfare system [11]. As an extension of the intergenerational influences on legal involvement discussed earlier, these dynamics highlight the profound impact on both the early childhood experiences and encounters with law enforcement, not only shaping perceptions and behaviors but also intricately steering the developmental trajectory of youth pulled into the mouth of the pipeline, underscoring the interplay of factors that mold their path forward.

"First contact with law enforcement comes well before any arrests or anything against the law. It comes usually in regard to child welfare involvement… or simultaneously just trying to survive on the street as a foster youth."

"My opinion of them [police], they were the bad guys. They were the enemies, and it made me kind of anti-social, me and everyone I hung with… It makes you have at an early stage a peculiar uh… opinion of the law and rules, that they didn't really matter."

"Being 5 years old and interrogated by police, it was frightening, because… a 5 year old shouldn't be worrying about having to go to court and testify against our parents."

"I remember when I was a kid, an officer asked where I got my scratches and bruises from, and I said, 'Oh, it was my mom,' and they locked her up right away and then left. I learned a valuable lesson that day. Don't tell the cops what happened, and that's eventually what led me into foster care."

[9] Office of Justice Programs (2001). Law enforcement response to child abuse.
[10] Stewart, D. M. et al. (2014). Youth Perceptions of the Police: Identifying Trajectories. Youth Violence and Juvenile Justice 12(1), 22-39.
[11] Edwards, F. (2019). Family Surveillance: Police and the Reporting of Child Abuse and Neglect. RSF: The Russell Sage Foundation Journal of the Social Sciences 5(1), 50-70.

Factor 1.3: Relationships with Child Welfare System Agents

Positive and supportive relationships have been shown to significantly reduce the likelihood of state-dependent youth encountering the juvenile legal system [12]. Yet, council members and their state-raised siblings confront challenges marked by unstable, unsupportive and disrupted relationships.

The quality of connections with crucial figures in the system, such as social workers, residential center staff and foster parents, holds a pivotal influence. These adults have the potential to impact young lives significantly; as one council member acknowledged: “They have a lot of power… and they could help young people, and they do when they really want to.” For council members who had only experienced the foster care system they recounted an experience of having one adult who greatly impacted their life.

However, for dual-system impacted council members, experiences of losing caring system agents due to frequent turnover often led to a lack of trust in adults. Relationships with these pivotal figures were often punitive and traumatic. Such early interactions in the system hinder state-dependent youth from establishing stable, meaningful bonds. Frequently, these adults removed state-dependent youth from their family homes and placed them in dangerous and punitive settings [13].

State-dependent youth seek proximity to peers who have shared similar experiences, some who weren't always positive influences. Further delving into the intricate experiences of state-dependent youth, the significance of positive relationships becomes increasingly evident. It highlights the pivotal role connections with child welfare figures and peers play in shaping their trajectories.

"I would have a good relationship with like one of the counselors at one of the shelters or group homes, or even like a foster parent, but it was always temporary."

"[Social workers and foster parents] had big smiles, bright voices in front of others and harsh and powerful actions when no one was around to hold them accountable. And social workers did not follow through with the things they promised."

"Consistency would have been amazing. I think like my first month and a half in the system, I went through like 16-22 social workers."

"I had this foster parent, and she was kind of like last resort. You know they told me she took like the worst girls in King County pretty much, [but] I loved her… She was always there for me if I was in danger. But she told me that if I went to jail, she would never talk to me again, or she wouldn’t come see me, and she meant it… But she was a really good support. I just feel like, if I would have been placed with somebody like her in the beginning, I think a lot of things would have been different."

[12] Williams F.S. et al., 2021. Can the development of protective factors help disrupt the foster care-to-prison pipeline? An examination of the association between justice involvement and the development of youth factors. Journal of Public Child Welfare 15(2) 223-250.
[13] Institute for Family Studies. (2014). How Instability Affects Kids.

Factor 1.4: Placement Instability

> **"The more placements, the more that you're thrown around, especially when it's like to shelters and group homes, and just places that aren't very safe—I feel there's a much higher chance for a young person to veer off to the wrong path and end up in prison or juvie [juvenile detention centers]."**

Placement instability is a primary factor significantly raising the odds of state-dependent youth encountering the juvenile and adult legal systems [14]. A retrospective study in King County, Washington, examined multi-system involvement for legal-system involved youth and revealed frequent placement changes and their associated substantial economic costs [15]. National research indicates that 90% of state-dependent youth who move five or more times will end up in the juvenile legal system [16]. In 2022, Washington state DCYF reported an average of 4.99 placements within the first 90 days of entering care [17].

Council members shared that disparities between stable and unstable placements for state-dependent youth were influenced by factors including entry age, system engagement duration, traumatic history and placement types. Council members who later became dual-system involved were often five years old when entering foster care. Having undergone significant trauma at a young age made them feel less desirable for adoption or permanency, and they commonly landed in facilities like group homes and shelters.

Specific council members, mainly females, shared a disheartening pattern of securing relatively stable adoptions only to be returned to the child welfare system. These recurring experiences deeply impacted their trust resulting from feelings of rejection, temporary connections and trauma experienced in relationships.

> **"They would take me to these things called Family Fest… like a f**king Humane Society for kids, so that's when I ended up getting adopted. After a year they got rid of me, and I think it ties into the prison pipeline as well just getting that level of rejection."**

[14] Goetz, S.L. (2020). From Removal to Incarceration: How the Modern Child Welfare System and Its Unintended Consequences Catalyzed the Foster Care-to-Prison Pipeline. University of Maryland Law Journal of Race, Religion, Gender and Class.
[15] National Center for Juvenile Justice (2011). Doorways to Delinquency: Multi-System Involvement of Delinquent Youth in King County (Seattle, WA).
[16] Yamat, A.M. (2020). The Foster Care-to-Prison Pipeline. Justice Policy Journal.
[17] Washington State DCYF. (2023).

Factor 1.4: Placement Instability, continued

> **“Each placement, you lost your entire identity, and that kind of trauma is so impactful… that by the time you grow up and you are having what they call behavioral challenges, they blame you when it’s not you, you’ve been raped by the system and then blamed for having a reaction to being raped by it."**

Highlighting that a significant number of placements, particularly group homes and shelters, were seen as punitive environments failing to meet basic and unique needs, council members noted that these settings were often more "dangerous" than the alternative of running away and becoming homeless. Running away, in turn, often led to engagement in survival crimes like stealing food and clothing, amplifying the risk of encountering law enforcement and potential harm.

While the experiences of council members and state-dependent youth are diverse, they overwhelmingly involve placement instability and placement in group homes and shelters. The profound implications of placement changes not only intersect with the complexities of dual-system involvement but also underscore the pivotal role that support networks and early environments play in shaping the trajectories of dual-system inclined youth.

> **"We are not taught any ways to regulate ourselves, or exposed to homes where they can help us move through our grave [of buried trauma], to move through repeated placements, of loss of our families, loss of our identities…"**
>
> **"One of the hardest things I’ve had to deal with was a family reject me, it makes you feel so worthless."**
>
> **"They want the younger child; they don’t want the one that’s had multiple placements, that’s had problems."**
>
> **"You’re much more likely to get jumped on by a group home staff than a JR [juvenile rehabilitation] guard. The JR guard’s gonna have to explain it up the ladder."**

Factor 1.5: Peer Relationships and Role Models

In their quest for a sense of belonging and support, state-dependent youth often gravitate towards peer groups with shared experiences, seeking acceptance and resources for survival to meet basic and unique needs. Within these peer groups, some individuals may engage in survival crimes, risky behaviors or delinquent activities [18]. Peer connections with other state-dependent youth play a crucial role in their journeys. Council members openly shared experiences about forming connections with peers who were perceived as 'street smart'—individuals capable of providing essential resources, protection and teaching the skills needed to survive, especially for state-dependent youth who end up homeless from placement.

Just as relationships with system agents shape trajectories of state-dependent youth, so do the connections formed amongst state-dependent youth peer groups. While some relationships reinforce challenging behaviors and attitudes, others foster personal growth and resilience. For instance, a council member recounted an experience enabled by an opportunity to connect relationships with other state-dependent youth during a college tour—an exception among the council members, many of whom lacked such encounters. The interplay between early encounters with law enforcement and connections with system agents and peers provides insight into the external connections that hold power to shape their futures.

"There is this group of girls that I got really close with and they were my role models. There was about four or five of them, and I met them in downtown Seattle… I loved them, they knew how to fight and they were boosters and those were the friends that I stayed with."

"I got in a relationship really young, and this person is [present], so then I built co-dependent skills, because everybody else rejected me. So I have to hold on to this for dear life and not even honor who I truly am, or have the space to acknowledge that I have some dysfunctional behavior from trying to survive as an unwanted child in the system."

"It's really big who you look up to when you have no family, because you feel loved or not… but you feel that's your comfort zone which is usually people you can get in trouble with."

"I have a fractured education. I have no attachment to any adults in my life. I've got no home that people can come over to. No foster parent gonna let you have friends over to play or do whatever… There weren't a lot of options because if I did have a friend that was not one of the street kids, I had to like disassociate from so much of myself. I had nothing to share, I had nothing in common, and as soon as I started talking about my life, I was a freak, right? Because I was so deeply bereaved from losing my family and being in state care that I didn't even have anything relatable to talk about… I was like attracted to people that had trauma. It was the only place I could be really fking me because they hurt, and they knew pain like I knew pain, they knew survival like I knew survival."**

[18] Williams, F. et al (2021). Can the development of protective factors help disrupt the foster care-to-prison pipeline? An examination of the association between justice system involvement and the development of youth protective factors. Journal of Public Child Welfare

Factor 1.6: The Education System

> **"It's very unstable, and it's hard for folks in foster care to even feel like school is a place for them worth the investment, especially if you're moving from placement to placement, going from school to school. It's really just a place of extended trauma for foster youth… School is literally just an extension of detainment."**

State-dependent youth's educational experiences are often complex and challenging, influenced by multiple factors that significantly impact their academic journey. A critical element that impacted council members, whether they were involved in the foster care system or dual systems, was the disruptive nature of placements. Frequent changes often resulted in educational gaps, hindered progress and caused difficulty in establishing stable relationships with non-state-dependent peers and teachers [19]. Council members shared stories of school transfers due to placement changes, which often necessitated the need to adapt to different curricula and constant efforts to catch up—exacerbating struggles to maintain credit attainment.

Moreover, the profound trauma and emotional challenges faced by council members were described as stemming from the instability and unsafe environments within placements, where surveillance, neglect and abuse were all too common. Consequently, council members saw school not as an educational institution but rather as a place to fulfill basic needs and seek refuge from the adversity experienced.

> **"You're taking this displaced youth… to a new school, and there's an innate sense of lack of security and stability, like 'I'm coming here, I don't know anybody, I don't know my teacher, I don't even know the people I'm living with.' Education and schooling is… not a priority.**

In some cases, schools exacerbated trauma for state-dependent youth, perpetuating stigma and low expectations from teachers, often leading to placements in special education and behavioral classes [20]. Unfortunately, state-dependent youth face an elevated risk of disciplinary actions due to behavioral challenges, leading to interactions with school resource officers, many of whom are off-duty police officers. Data from Washington State OSPI reveals a 12.7% discipline rate of state-dependent youth (i.e., youth in foster care) in response to behavioral violations during 2021-22, versus the rate of 2.9% for youth who are not state dependent [21].

[19] Williams, F. et al (2021). Can the development of protective factors help disrupt the foster care-to-prison pipeline? An examination of the association between justice system involvement and the development of youth protective factors. Journal of Public Child Welfare.
[20] McGuire, A. et al. (2021). Academic Functioning of Youth in Foster Care: The Influence of Unique Sources of Social Support. Child Youth Services Review.
[21] Washington OSPI. 2021-2022 State Report Card.

Factor 1.6: The Education System, continued

Council members recounted experiences of heightened scrutiny, magnified actions and enduring consequences by school staff. The devastating effects of schooling experiences were illustrated by one member who shared their account of sexual assault by a teacher, highlighting the lack of support from school staff upon returning to school.

Such traumatic and dangerous encounters compelled some state-dependent youth to lose faith in schools as a place for academic achievement or fulfilling basic needs, ultimately leading youth to drop out. During the 2021-22 academic year, Washington State OSPI reported that 27.4% of state-dependent youth (i.e., foster care youth) dropped out [22]. Unfortunately, the decision to drop out often forces state-dependent youth to engage in survival crimes, heightening their likelihood of encountering law enforcement and becoming captured in the belly of the foster care-to-prison pipeline.

"The way I feel about schools and how they utilize resource officers and police officers is I've always felt like school is setting up our [state-dependent] youth to transition into the legal system because it's every time I heard a youth get in trouble in school, they're like, 'Oh, this goes on your permanent record for the school,' and I'm like, that's the same thing that happens when you face the legal system."

"I felt really held back, the fact that the school I came from isn't like on the similar curriculum as the next school."

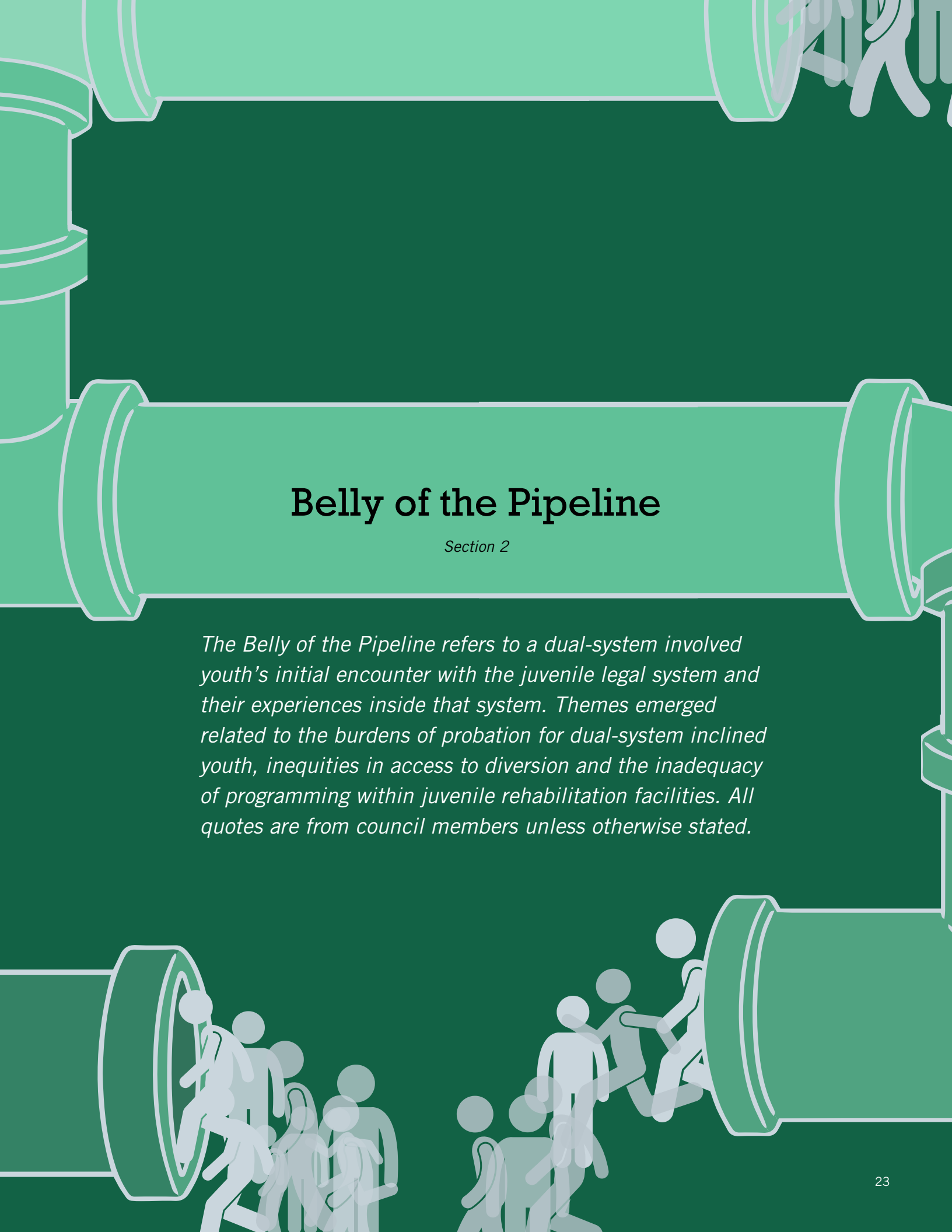
"Transitioning from multiple placements to another is always like the transcripts would change, and depending on where in the state you would go, that could affect your education."

[22] Washington OSPI. 2021-2022 State Report Card.

Belly of the Pipeline

Section 2

The Belly of the Pipeline refers to a dual-system involved youth's initial encounter with the juvenile legal system and their experiences inside that system. Themes emerged related to the burdens of probation for dual-system inclined youth, inequities in access to diversion and the inadequacy of programming within juvenile rehabilitation facilities. All quotes are from council members unless otherwise stated.



Factor 2.1: Encountering the Judicial System

> **"It just felt like a shuffling… and you're going to get some labels on you. It never felt like I was seen as a child, a person or anything and so going in there [juvenile legal system] and then going back out into the [foster] home, that shuffling it was more of the same narrative, that you're just a pass through, you're not a person, don't nobody care."**

Council members emphasized state-dependent youth's challenges when they interface with the court, including a lack of support systems and the increased likelihood of being treated punitively rather than receiving responsive interventions. Research supports the existence of "foster care bias," which influences court decisions related to state-dependent youth [23].

A council member also pointed to the role in which other identifying characteristics such as race, gender and sexual orientation of state-dependent youth may have on the court decision-making process, showing that certain youth often face multiplicative biases based on their demographics. In Washington state, Indigenous youth are four times as likely to be placed in foster care, and Black children are three times as likely [24]. A study in King County, Washington, revealed that any history in the child welfare system increased the likelihood that a young person would be involved with the juvenile legal system [25]. National trends also report that LGBTQ and gender non-conforming youth are also overrepresented amongst state-dependent youth who encounter juvenile justice systems [26]. In revealing these disparities, it becomes clear that court decisions are shaped not only by a youth's experience in foster care but are also profoundly influenced by a complex interplay of identifying characteristics—a convergence of factors that magnifies biases.

Council members recounted experiences of facing judges alone in courtrooms, where no one was there for moral and advocacy support. This represents a lack of guidance and advocacy on behalf of the state-dependent youth, often resulting in inequitable treatment that leads to harsher penalties and limited access to diversion or remedial programs intended to address youths' underlying needs [23]. As an example of harsher penalties faced by state-dependent youth, a study in King County reported that youth with a history of child welfare involvement were referred on offender charges at a rate of 2.5 times more than their peers who had no history of involvement in child welfare [25]. Council members have argued that the absence of support in the courtroom engenders mistrust and disconnection with adults (e.g., legal systems agents) and the systems that are supposed to serve state-dependent youth while exposing them to harsher sentences.

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[23] Conger, D. & Ross, T. (2001). Reducing the foster care bias in juvenile detention decisions: The impact of Project Confirm.
[24] Race and the Criminal Justice System, Task Force 2.0:, "Report and Recommendations to Address Race in Washington's Juvenile Legal System: 2021 Report to the Washington Supreme Court" (2021). Fred T. Korematsu Center for Law and Equality. 118.
[25] National Center for Juvenile Justice (2011). Doorways to Delinquency: Multi-System Involvement of Delinquent Youth in King County (Seattle, WA).
[26] Irvine, A. & Canfield, A. (2016). The Overrepresentation, Gender Nonconforming and Transgender Youth Within the Child Welfare to Juvenile Justice Crossover Population. Journal of Gender, Social Policy & the Law.

Factor 2.2: Inequitable Access to Diversion

Council members point out that state-dependent youths' context (i.e., placement instability, lack of family/community support) commonly disqualifies them from diversion programs because access is often at the discretion of prosecutors. When access to diversion is granted, programs fail to address the unique needs of state-dependent youth. These perspectives underscore the importance of diversion programs that acknowledge and respond to state-dependent youth's fundamental needs and empower them. By targeting the underlying causes of their dependence on survival strategies, diversion programs can effectively divert youth from the pipeline.

> **"If I had like a stable environment, and I was offered [diversion]… I think it would have helped a lot."**

> **"The person with the most say is the… county prosecutor office, you know, and at least for foster youth, that seems problematic. When you have a family and a community that comes to the table for you—that's gonna leverage which prosecutors are into giving that young person diversion or not."**

Notably, council members shared that they were denied diversion opportunities. The exception was one council member who was arrested for the "crime" of being homeless in a park after hours. This member was "given the option of community court or regular court and chose community court due to its leniency." This option required completion of 15 hours of community service. In return, their criminal record would be wiped clean. This experience did not respond to their underlying need for a safe place to live.

Factor 2.3: The Probation Trap

> **"I think probation is just another slip and slide to incarceration like you already had the school sh*t, you already had your foster care stuff, and now probation is just another tunnel in this pipeline that filters us right in there like whatever files they were keeping."**

Placement instability significantly contributes to the probation trap. Several council members mentioned being homeless during probation, which prevented them from meeting the probationary obligation of having a court-approved address. The lack of a consistent support system further exacerbates this challenge, as youth may not have reliable guidance or access to social and economic resources that could assist in meeting the demands of probation.

Council members recounted their lack of trust in probation officers, perceiving them as punitive rather than supportive. This sentiment was particularly evident in one council member's account, where the probation officer was aware of the precariousness of their housing situation yet failed to address their basic needs but instead focused on trying to violate them. This experience highlights a disconnect between the youth's actual circumstances and the punitive response of the legal system.

Addressing the probation trap requires a more holistic and supportive approach for dual-system involved youth, which recognizes and addresses the youth's underlying behavioral factors and unique needs.

> **"That [probation] was pretty much the whole reason that I was in and out of juvie [juvenile rehabilitation facilities] so many times... like once a month I was in and out... because as soon as I left—like my placement or the shelter I was supposed to be staying at, or I just wanted to live on my own because I had nowhere to go, I would immediately have a warrant out for my arrest because of this probation violation."**

> **"[Probation] dragged me deeper into the pipeline because I was already in foster care, with no placement or no family. I just had my social worker barely, so it's like I kind of already was in some sort of probation, and then to get put on actual probation, its just like another thing over my head... There was no way for me to even get to my probation officer, even if I wanted to."**

Factor 2.4: Juvenile Rehabilitation

> **Council Member 1: "Since you're the only one that's currently locked up… are there other foster kids in there that you know [from] when you were in the foster care system?"**
>
> **Council Member 2: "Well, like, not right now, but… when I first got locked up when I was 16, I knew everybody, like every single kid I knew, and they were in foster care. And right now, because where I'm at, there's a lot of young kids, but majority of them are in foster care, [but] I didn't know them because of our age difference."**

The Washington State Department of Children, Youth and Families-Juvenile Rehabilitation (DCYF-JR) institutions are primarily responsible for detaining youth with a significant criminal history or those who have committed serious offenses. Council members have reflected on their time in these facilities, describing them as a source of "comfort" and familiarity (i.e., no different than congregate settings experienced in foster care). Council members draw parallels between their experience in foster care—specifically their placement in group homes and shelters—and the structure of DCYF-JR facilities. While there are a few notable differences, such as the inability to run away from carceral facilities compared to group homes and a focus on earning credits for graduation rather than comprehensive learning for skills useful for re-entry, prior experiences in foster care enable dual-system involved youth to navigate these facilities more seamlessly than their counterparts who have not experienced foster care.

Similarly to their experience in foster care, council members and state-dependent youth believe they are continuously denied effective programming and services that respond to their unique needs while in juvenile rehabilitation facilities. This belief was validated during a dialogue between council members and an adolescent psychiatrist who provides therapeutic and skill-building interventions in juvenile carceral settings; the psychiatrist acknowledged that the current institutional environments undermine interventions.

> **Council Member: Dialectical Behavioral Therapy is about going into the higher self and being able to have those kinds of skills [to stop, regulate and think], but I never really thought about the person feeling like they're failing at using the skills when they're living in a war zone.**
>
> **Adolescent Psychiatrist: It can make it a little bit better to deal with difficult environments, but in reality, it undermines the effectiveness of these approaches.**

Factor 2.4: Juvenile Rehabilitation, continued

The problem with this experience is the increased potential reinforcement of a cycle of delinquent behaviors, the normalization of incarceration and the lack of educational and rehabilitative programming and support within juvenile rehabilitation facilities aimed at successful re-entry. The experience of state-dependent youth inside juvenile rehabilitation facilities contributes to lifelong negative outcomes. It hinders the potential for positive growth and successful reintegration into society for dual-system involved youth, leading to ongoing cycles of incarceration.

"Survival skills… that's one of the things that I think serve foster youth going into incarceration. Not all foster youth have the same survival skills, but they all have a survival strategy."

"Even when you go to prison, even when you make it to Echo Glen, it kind of feels like that's where you belong. I felt so blessed… I felt lucky, like I know this."

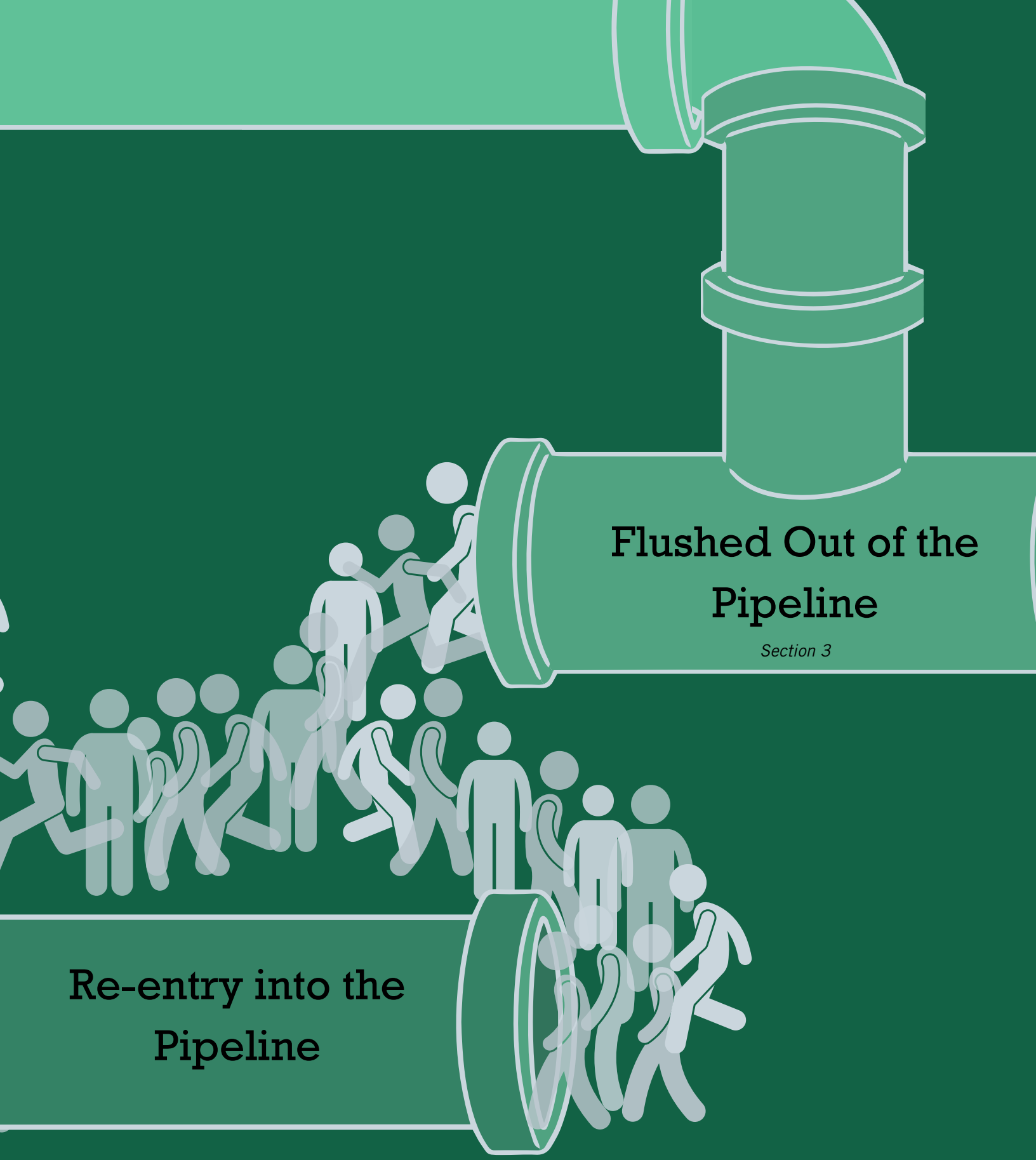
"I was always in and out of juvie [juvenile rehabilitation facilities] until I caught my big charge and then I was in a whole bunch of different facilities. There's no difference [between foster care and incarceration] besides the fact that I can't go places. I'm still with a whole bunch of people my age, and we all have similar backgrounds."

"Skills we learn in the foster care system transfer so easily to protect ourselves in there [juvenile rehabilitation facilities] because we are already having to protect ourselves in these environments."

"I can't remember any positive experiences or conditions in the outside world… state girls, state boys, like you rely on each other, you teach each other survival skills."

"You're pretty much raised to be here… "

"Trauma-informed should have been like best practices—like every person that has to deal with these highly vulnerable young children [state-dependent youth] should have had trauma-informed training."



Flushed Out of the Pipeline

Section 3

Re-entry into the Pipeline

Factor 3.1: Unmet Resource Needs and Skills

> **It really does seem like you're not meant to actually succeed [as a state dependent youth]… it seems like you're meant to end up there [juvenile and adult legal systems], and even if you do get out, it seems like because they aren't teaching you those skills [necessary for re-entry]—it seems like it's meant to constantly keep you within [the detention facilities].**

Dual-system impacted youth experience higher recidivism rates than their counterparts solely involved in the juvenile legal system [27,28]. Council members point out that the lack of family and advocacy presence and support during the transition into the community contributes to recidivism as they lack a social network to navigate society. Council members highlight parallel experiences of their time in foster care, of harmful placements, running away and resorting to survival crimes, contributing to the cycle of reoffending. Additionally, inadequate skills training, resources and housing hinder post-incarceration transitions. A council member shared their story of experiencing sexual assault, consequent pregnancy and nearly dying shortly after release due to the absence of a support network and the failure of detention facility staff and caseworkers to connect them with necessary resources. Council members express that the lack of resources to aid state-dependent youth upon their release is problematic, particularly considering the substantial amount of funding allocated to re-entry programs.

> **"DCYF say that they offer like a lot of services for like re-entry [into the community], but I like never really see anyone get out and get connected with resources from here. Like I know there's like the JobCorps program, and it sounds really good, but I never see anyone who actually got into it."**
>
> **"I didn't have much support at all… that was the hardest part for me coming out and starting to do drugs and not having any support…"**
>
> **"When I would get released from detention, usually they would take me across the street, there was this group home called Spruce Street… I went inside one time, and I learned because they'll take your shoes and your clothes, and once you go upstairs, you're trapped in there… So I'd get released and then the social worker would take me there and I would be like 'nope, I'm leaving' and I would go to the bus stop… I was homeless, but I had lots of friends."**

[27] Stewart, D. M. et al. (2014). Youth Perceptions of the Police: Identifying Trajectories. Youth Violence and Juvenile Justice 12(1), 22-39.
[28] Washington Department of Social & Health Services (2016). Youth Aging Out of Foster Care: Risk & Protective Factors for Criminal Justice System Involvement.

Factor 3.2: Survival-based Behavior, Relationships and Recidivism

Upon release from carceral facilities (i.e., JR facilities, county jails, prisons, etc.), council members point out that when you are state-dependent, you gravitate toward relationships with peers and older role models who have shared similar experiences. These relationships are formed from foster care, juvenile rehabilitation or other detention facilities and during time spent homeless while on the run from state placements. In the absence or inadequacy of post-incarceration support, resources and relationships, state-dependent youth engage in survival-based delinquent behavior that leads to recidivism. While specific statistics for dual-system impacted youth are absent from DCYF-JR reports, the disclosed recidivism rates for youth in JR facilities stand at 51% and are notable [29].

> **If you don't have family when you get out, guess who your family kind of is, and the people you look to—it is other people you met in foster care and especially in juvenile rehabilitation facilities.**

In essence, the interplay between deficient post-release support and the dependence on survival-based behaviors and relationships underscore the need for comprehensive interventions that address the challenges faced by state-dependent youth navigating the transition into society.

> **"The streets seem better, seem like you have autonomy like stay at this [foster] place, or go to the streets. We're not scared, we're desensitized to homelessness. And so now we're not only dual-system impacted but we are triple-system impacted."**
>
> **"The experience of everyone who is successful is a criminal, that's all I wanted to be, because there's no ability to imagine being a lawyer or anything like that."**
>
> **"When I came out when I was young, I had a group of friends and people that I could rely on… It was usually the person out there who's doing the best, because they could help me out, they would give me a starter kit… which would usually be a sack of drugs or whatever, just to get on your feet, it might buy you a couple sets of clothes."**
>
> **"Most of my friends who I was staying with… they were heavily involved in the streets."**

[29] Washington State DCYF. 2020. Annual Recidivism Analysis for Youth Leaving Juvenile Rehabilitation (FY15-16).

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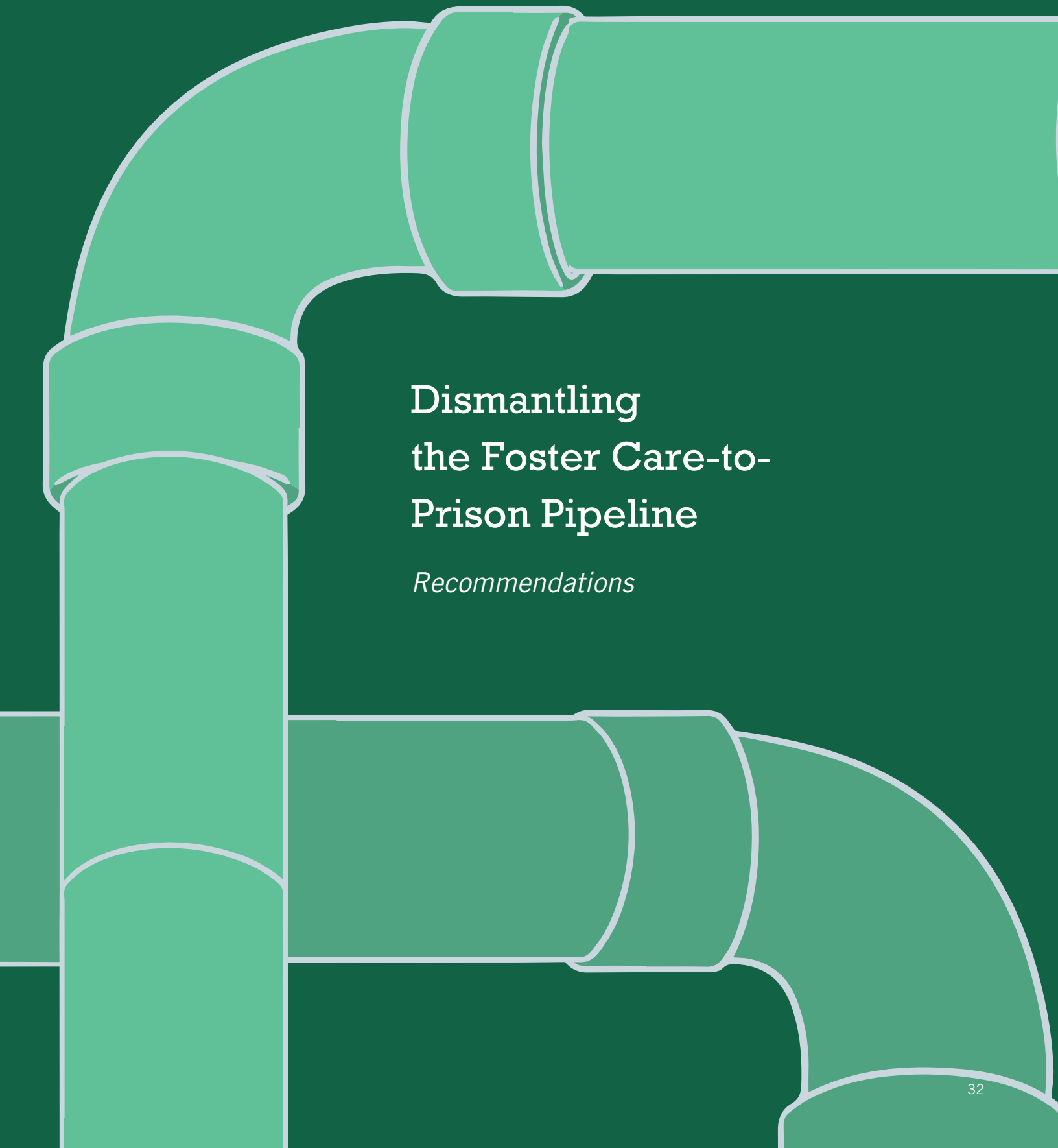
Dismantling the Foster Care-to-Prison Pipeline

Recommendations



Dismantling the Pipeline: Recommendations

This section presents what specific systemic reforms are necessary to effectively implement these recommendations and prevent the disproportionate criminalization of youth experiencing foster care in Washington state. These recommendations aim to drive systemic changes to effectively prevent youth experiencing foster care from entering and becoming trapped in the criminal legal system while simultaneously improving support for dual-system involved youth and preventing their reintegration into the pipeline.

The recommendations below were informed directly by the council of lived experts, data from the council meetings, research noted in this report and Treehouse's Dual-System Involved Youth (DIY) team.

Icons Key

Within this section, we have used the icons on the right to indicate who has the authority to create enabling conditions.

Please note that every solution will require advocacy and partnership with lived experts.


Department of Children, Youth and Families (DCYF)

Office of Superintendent of Public Instruction (OSPI)


Washington State Legislature


Courts


Local Education Agencies (LEAs)


Community Based Organizations (CBOs)

Recommendation 1: Dual-system involved youth should experience consistent, equitable access to high-quality educational support services before, during and after legal system involvement to ensure access to basic education in accordance with the paramount duty of the Washington State constitution.

What needs to change?

- LEAs, OSPI, DCYF and CBOs should collaborate to ensure that dual-system involved youth have access to effective, tailored education support services. These should include, but are not limited to, having access to a consistent educational support professional who is effectively positioned to reduce barriers, plan transitions and ensure federal and state legal requirements and provisions are implemented to protect students' educational quality and continuity.
- Ensure dual-system involved youth have full eligibility and access to federal and state educational legal protections afforded to youth experiencing foster care including but not limited to partial credit transfer, best interest determination, review of excessive absence and enrollment laws.
- Ensure all dual-system involved youth eligible for special education receive the full range of services and supports entitled by federal and state laws.

Rationale

- Dual-system involved youth have long experienced high mobility and disproportionate barriers to education access. COVID restrictions, institutional staffing challenges and other factors in recent years have greatly exacerbated historical challenges. CBOs can partner effectively with institutions and LEAs to provide the specialized educational advocacy needed to mitigate the well-documented negative impacts of high mobility. This role includes ensuring that robust federal and state legal requirements and provisions that expressly protect educational continuity for state-dependent youth are implemented in the institutional education context.
- Currently, some protections for youth experiencing foster care do not extend to dual-system involved youth. In these cases, policies should be changed to ensure that dual-system involved youth receive the same protections as youth experiencing foster care who are not impacted by the criminal legal system.
- Specific evidence found in Factor 1.6: Educational Experiences and Factor 2.4: Juvenile Rehabilitation.

Recommendation 2: State-dependent youth should have access to meaningful behavioral health-related crisis response services that connect them with appropriate short- and long-term health/mental health care instead of incarceration.

What needs to change?

- The legislature should fund crisis mental health interventions specifically tailored to the needs of underinvested youth and young adults in crisis.

Rationale

- Communities across the state struggle to provide adequate behavioral health-related crisis responses to community members in need. This disproportionally impacts state-dependent youth who typically lack family and community support. The most vulnerable state-dependent youth struggle with housing stability and behavioral health challenges. Instead of being connected to appropriate care, these youth are commonly incarcerated due to crisis. We suggest the legislature build on funding models and interventions such as King County's Crisis Care Centers Levy but give special consideration to the needs of state-dependent youth and target resources to communities in the state where they are needed most.

Recommendation 3: The legislature should require that OSPI identify, track and publicly report education outcomes data for dual-system involved youth on the OSPI report card for all reporting categories currently required for other demographic groups.

What needs to change?

- Currently, dual-system involved youth data is not available. DCYF and OSPI should track education data about these populations and publicly report this data to increase transparency and accountability and to help inform data-driven improvement over time.
- Strong data protections and oversight should be implemented in this process so that this data does not contribute to oversurveillance.

Rationale

- Tracking and reporting dual-system involved youth education outcomes in an accurate, timely and transparent manner is essential for making needed policy, funding and practice improvements. Lived experts strongly feel that dual-system involved youth have been intentionally made invisible in child welfare and educational data, perpetuating inequity. This recommendation is about making the population and their experiences visible. At the same time, it is critical that data practices do not contribute to negative unintended consequences for dual-system involved youth.
- The definition of who is considered a dual-system involved youth is essential. Lived experts have valuable consultation to provide on this topic and co-design terms.

Recommendation 4: Dual-system involved youth receive equitable treatment in sentencing and access to diversion when facing the juvenile and adult judicial systems.

What needs to change?

- Courts, in partnership with DCYF and community-based organizations, must design and implement diversion programs that are inclusive of youth experiencing foster care and consider their unique experiences.
- CBOs, building on current work that is already emerging with the leadership of lived experts, should implement a participatory defense network to ensure community members show up to witness sentencing, engender consciousness of youth experiencing foster care's unique experiences, give voice to mitigating factors and hold courts accountable to equitable sentencing practices.

Rationale

- The lack of support for youth and young adults in foster care during encounters with the judicial system leads to foster care bias, where youth are denied access to diversion programs and receive inequitable and harsh sentences compared to their peers.
- Without diversion programs and fair sentencing, youth continue to enter or re-enter the pipeline at unacceptably high rates and for longer periods of time.
- Specific evidence found in Factor 2.1: Encountering the Judicial System and Factor 2.2 Inequitable Access to Diversion.

Recommendation 5: Dual-system involved youth experience placement/housing security, stability, support and educational continuity after being discharged from the juvenile legal system or county facilities.

What needs to change?

- The legislature should adequately fund CBOs that provide safe, non-carceral, supported housing options tailored to the unique needs of dual-system involved youth.

Rationale

- Currently, dual-system involved youth are being discharged to homelessness or to carceral congregate care settings with little to no meaningful access to basic needs or educational supports.
- Evidence found in Factor 3.1: Unmet Resource Needs and Skills.

Recommendation 6: Legal financial obligations (LFOs) for youth and young adults (up to 25 years old) should be eliminated and true compensation for survivors of crime should be provided.

What needs to change?

- Eliminate uncollectible debt in youth and adult court and satisfy open judgments via court rule or legislative change.
- Pass legislation to transform restitution by establishing a community compensation fund. Eliminate the requirement of individual youth to pay excessive restitution.
- In the meantime, limit the definition of "victim" for restitution to natural persons as opposed to insurance companies or other corporate entities. Tighten the statute of limitations to allow restitution orders to expire and not follow youth into adulthood.

Rationale

- Monetary sanctions against foster youth such as juvenile-court levied fines, fees and excessive restitution feed the Foster Care-to-Prison Pipeline, including the probation trap.
- Evidence found in Factor 2.3: The Probation Trap.

Summary & Conclusion

To arrive at the recommendations and solutions, we hosted and collaboratively facilitated dialogic sessions, 1-1 interviews with lived experts and individuals serving as youth advocates, mental health providers and Treehouse staff. Our analysis produced findings that we organized into four phases: The Mouth of the Pipeline (Upstream), The Belly of the Pipeline (Initial Juvenile Legal System Contact/Arrest), Flushed out of the Pipeline (Post-Incarceration/Re-Entry), and Dismantling the Pipeline (Recommendations and Solutions). Findings revealed overarching themes of the impact current systematic approaches have on perpetuating the pipeline and the need for community investments and system reform characterized by multi-system approaches to meaningfully disrupt the overrepresentation of state-dependent youth in the juvenile and adult legal systems.

Our research finds that there is a need for these solutions and recommendations to be acted upon collectively and with a sense of urgency to transform the experiences of state-dependent youth and advance equity across our state institutions. Pursuing the recommendations in this report would advance our collective goal of ensuring that all children grow up safe and healthy—thriving physically, emotionally and educationally.

Implications and Limitations

An acknowledged limitation of the study is the partial engagement of council members in member checking —a process involving returning research findings to participants to validate accuracy and resonance with their experiences—due to their limited time availability. In future designs, intentional efforts should be made to engage participants fully in analysis and member-checking processes, ensuring thorough validation and comprehensiveness of findings.

We believe this report would have benefited from an additional analysis of individual-level quantitative data to study the prevalence of state-dependent youth who become dual-system involved and impacted along with risk factors that place them on the trajectory through the foster care-to-prison pipeline. We relied upon publicly available reports and current literature because time constraints did not allow us to seek access to data from DCYF, which would have required formal approval through the Washington State Institutional Review Board. While national data consistently underscores the disproportionate representation of Black and Indigenous communities, as well as gender non-conforming and members of LBTQIA+ populations within the child welfare and juvenile legal systems, this study did not adequately delve into the nuanced experiences pertaining to race and sexuality among council members embodying these identifies. Recognizing the critical importance of this line of inquiry, we passionately advocate for future research endeavors to thoroughly investigate the multifaceted experiences of those with lived experiences encompassing multiple identities. Future work should explore quantitative inquiry to examine which offenses result in inequities between state-dependent youth and their peers who have not experienced foster care; geographical regions that produce the most significant disparities in the sentencing of state-dependent youth; and how identities such as race, gender, sexual orientation and disability status intersect with the experiences of state-dependent youth. This examination may reveal even wider disparities and injustice.

Appendix

Appendix A: Methodology and Design

Positionality Statements

Malcom King:

My research ambitions are deeply rooted in my multifaceted identity as a Black, gay, cis-gender male, shaped by a lineage that encompasses both enslaved Blacks and Cherokee Indigenous heritage. These aspects of my identity underscore my dedication to advocating for the rights and equitable treatment of marginalized communities within the educational system. Having had a history with the child welfare system without being removed from my biological family, I recognize my position as a non-lived expert, and I strive to center and amplify the narratives and agency of those who have lived experiences in these systems.

Through my work, I seek to cultivate solidarity and facilitate lasting, transformative change by actively engaging and partnering with communities impacted by systemic oppression. The core values guiding my research—relationality, reciprocity, respect, participant agency, shared power and the valuing of diverse expertise—underscore my commitment to ethical research practices that prioritize the voices and perspectives of those at the heart of my inquiries. It's crucial to acknowledge that while I am deeply devoted to this vital research area and its intersections with the education system, I do not claim expertise in the foster care-to-prison pipeline. Instead, I aim to contribute to ongoing dialogues and advocate for changes that challenge the entrenched norms and structures perpetuating cycles of injustice.

Arthur Longworth:

I acknowledge that I am a white, straight, cis-gender male, situated within a nation that both historically and currently privileges whiteness, straightness, cis-genderness and maleness. I acknowledge that, although I was both raised and incarcerated by the state, my identity represents only a facet of the lived-experience community, and not even the most marginalized. In my work, I always endeavor to use my privilege to ameliorate the systemic inequity experienced by every member of my community—especially those who do not look like, or express their sexuality or gender like, me.

Much of my life, identity and work is founded on my lived experience as a state-dependent youth in the Washington state foster care system. That experience includes separation from my siblings, innumerable placements, denial of education, abandonment on the streets with no resources and my inevitable entrance into the Mouth of the Pipeline. I developed my lived expertise in the deepest part of the Belly of the Pipeline, inside a carceral system where I discovered generations of state-dependent youth had been buried before me. And during the 37 years I spent incarcerated with a sentence our State Supreme Court later determined was "unconstitutionally cruel," I watched successive generations of foster youth (many raised in the same group homes I was) piled into prison on top of me.

My position is that I am grateful to have survived a system that so many of my brothers and sisters did not survive. My position is that I am committed to doing everything I can to end the systemic inequity we have taken to calling The Foster Care-to-Prison Pipeline.

Appendix A: Methodology and Design

Methodology

The researcher employed qualitative interviews, focus group-styled council sessions and document reviews to understand the foster care-to-prison pipeline in Washington state and what meaningful action systems could take to disrupt it. Qualitative data was gathered primarily from experts who have experiences in both the child welfare and juvenile and adult legal systems. Throughout this report, we refer to these individuals as council members as they created what we reference as the State-Raised/Lived-Expert Council. Five of the council members had lived experience in the foster care system, and seven had lived experience in both the foster care and juvenile and adult legal systems.

In this study, we conducted 14 focus group-styled council sessions and eight interviews primarily with council members, some of whom were also Treehouse staff. Council members welcomed Treehouse staff who serve state-dependent youth in their highly-mobile youth subprogram, a university professor and researcher in psychiatry at the University of Washington and advocates from the Raikes Foundation to gain an understanding of the experiences of state-dependent youth who become dual-system involved and the systemic conditions necessary to mitigate the inordinate involvement foster youth have with the criminal legal system. The data collection process began in early 2023 and continued for 14 weeks.

Prospective participants who joined the work as council members were recruited by lived expert and Treehouse policy specialist, Arthur Longworth, utilizing network sampling methods that leveraged relationships within both social and professional networks. Arthur partnered with "state-raised brothers and sisters" based on their experiential knowledge of child welfare and juvenile and adult legal systems. The council consisted of a diverse, intergenerational panel, including individuals caught within these systems for decades and those who had recently aged out. By convening an intergenerational panel of lived experts, we can examine whether there have been any significant changes in the experience of the foster care system over time and its connection to the juvenile and adult legal system.

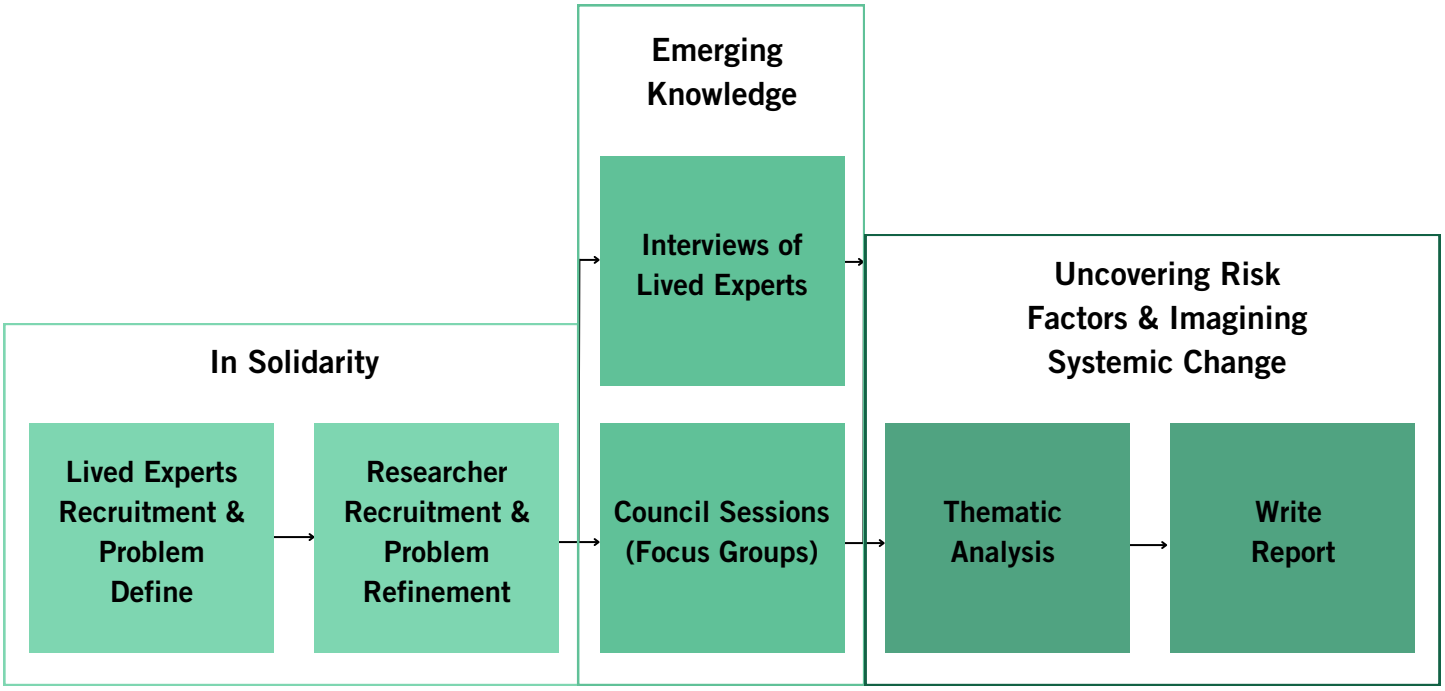
Appendix A: Methodology, continued

Design

Using components of participatory-based research, the self-named State-Raised/Lived-Expert Council (SRLEs) partnered and collaborated with Treehouse researchers and policy specialists to shed light on the foster care-to-prison pipeline through sharing individual and collective stories. This approach aimed to provide a deeper understanding of the phenomenon while ensuring that the knowledge produced was directly from the voices of lived experts.

The community primarily drove the design, as they played a crucial role in shaping and introducing questions, facilitating council sessions, providing supplementary resources and engaging in sense-making processes and analysis. It is important to note that the council members were recruited by themselves, indicating a self-directed recruitment approach rather than a researcher-directed approach. The research design not only relied on the community's self-determination of the agenda but also respected the self-identification of its members. By taking this approach, Treehouse was able to identify and leverage the strengths and resources possessed by lived experts. The process was designed to empower all members and foster a collaborative learning environment among all partners. Council sessions and interviews were analyzed using an inductive grounded theory approach where themes emerge from the data. Using this approach allowed for the authentic valuing of the voices of lived experts.

By amplifying the voices of those directly impacted, the stories provide a nuanced understanding of the challenges and barriers youth in foster care face that lead them on a trajectory toward the criminal legal system. They reveal the ways in which child welfare practices, policies and systemic factors can perpetuate the cycle of involvement with the juvenile and adult legal systems.



Appendix B: Supporting Evidence/Quotes

The quotes in this section come from the State-Raised/Lived-Expert Council.

Regarding The Mouth of the Pipeline

Early Childhood	"I was born in prison. My mother was in prison when I was born, and she got out a few months later and got me back real quick. She continued with the same thing she had been doing, she had alcohol problems and abuse problems. So I ended up in the foster care system…"
	"When I went with my aunt for a second time, I didn't know how my adverse childhood experiences would explain themselves where she became abusive, and I went back into foster care… With this highly valuable lived experience, we did not know how to articulate that or what we were traversing through as children."
	"Even before I got to foster care, with my parents being addicts in Tacoma, WA, what I experienced as a kid, then going into (my) first receiving home--I was desensitized to normalcy. I was sneaking in the fridge, I wasn't trying to sleep in this 'foreigner's' bed, I was peeing in the bed and trying to hide it… It was all kind of coming from my childhood trauma. Then going into harsher foster care group home settings, you do have that shield up."
	"How I entered foster care was through a psychiatric ward."
	"Both my parents were like in prison. So it was like a generational thing too."
	"Usually if your parents are involved with the justice system, then everybody around them, their friends too, are involved with the justice system and that is just your whole childhood… When you're learning and what you're learning is what the people around you--especially the grown ups-- [teaches] and you learn to look up to someone. I had somebody I called uncle, I thought he was the greatest dude in the world, he was a criminal though, but that was my role model early on."
	"The first few encounters of expressing, 'Hey, I've gotten hurt or this abuse came from my parent,' and then getting the consequence of being taken in at the time, the child may have gotten harmed by the parent, but still have this unwavering love and devotion for the parent. Like 'this is my mom, my dad, my uncle… my support network'. And that can foster unintended harmful behavioral patterns like not being able to speak up when somebody is doing harm."

Appendix B: Supporting Evidence/Quotes

Child Welfare System	"Foster care galvanized my ability to disassociate… because you are learning that the state owns your body, and they do not have to be accountable for anything that they do to it, where they put you, (or) if you're fed or not. You don't own your body. You don't have any rights, and there's no one to advocate for you, and if they did, like, nobody is going to believe you."
	"We are not taught any ways to regulate ourselves, or exposed to homes where they can help us move through our grave (of trauma), to move through repeated placements, of loss of our families, loss of our identities…"
	"They blame you when it's not you; you've been raped by the system and then blamed for having a reaction to being raped by it."
Relationships with Child Welfare System Agents	"I think it was easier, a lot easier for me to jump through hoops… because the social workers didn't look at me as a 'bad kid' on their case. And so, I think, like for me, it was different."
	"You'd have somebody show up, and then somebody that was gone, and then you needed to perform because they could yank you from a home."
	"It was helpful that the caregiver that I had through the independent living program connected me to other foster youth and engaged us in opportunities like going to college campuses."
	"Consistency would have been amazing. I think like my first month and a half in the system, I went through like 16-22 social workers."
	"To have someone with lived experience like basically being the [social workers] accountability (partner), or [their] lived expert mentor."
	"Boundary violations is huge. I can't begin to count how many case workers wanted the trauma porn of my story where I never knew what my rights were."
	"I think funding is going to lead to better training and oversight."

Appendix B: Supporting Evidence/Quotes

Relationships with Child Welfare System Agents, Continued	"[Social workers] are severely inequitable. I was in an emergency placement in foster care because I had made a serious attempt to hurt myself, and I told my emergency placement social worker that I wasn't going to stop… and the social worker was really direct and said, 'Look, I'm really sorry for what you've gone through like I want to see you succeed. Here is what you need to do,' and gave me a really firm path to follow so that I could feel better, right? And that was really beneficial to me. After then, I got new social workers, and they were really upfront and said, 'Oh, I think you're a good kid. Just FYI [for your information], I'm not going to have time for you,' and that just speaks to how inequitable the system is."
	"I had this foster parent… and they told me that she took the worst girls in King County pretty much. And I loved her, and she was amazing, (but) I took her for granted, I didn't follow any of her rules… But she was always there for me if I was in danger. She told me that if I went to jail, that she would never talk to me again, or she wouldn't come see me, and she meant it."
	"The caregiver I had through the independent living program connected me to other foster youth and engaged us in opportunities to tour college campuses."
	"I was introduced to the state foster care system when I was 5, and the case worker that I had from the state was a really amazing lady… At 16, I got connected with an organization to find housing, and fortunately, she became my case manager for housing and I was surprised that she still recognized me as that little 5-year-old. She really helped me advocate for getting housing and advocate with the courts when I was 17 and was locked up."
	"I experienced one valuable person [during] my juvenile and foster home experience… and the problem is that person came into my life, remember I started [foster care] at 12, but (this person) didn't come to me till I was 15 and a half 16. At that point, no matter what amount of support and guiding influence this particular foster parent [provided], I was already traumatized from earlier experiences."
	"[Social workers] had big smiles, bright voices in front of others and harsh and powerful actions when no one was around to hold them accountable. And social workers did not follow through with the things they promised."
	"I would have a good relationship with like one of the counselors at one of the shelters or group homes, or even like a foster parent, but it was always temporary."

Appendix B: Supporting Evidence/Quotes

Placement Instability	"I was moved around from home to home, and it was mainly because the other families that they were placing me and my siblings with they just wanted my baby sister."
	"When I see somebody who made it out of the foster care system it's usually because they made it out of the home early."
	"When you're already like system impacted… There is some type of filter or lens wrapping you, 'Oh, that kid's a little toxic.' If you are over a certain age and you stay till you're 18, there's probably gonna be many placements… and many ACEs [Adverse Childhood Experiences]."
	"Even before there's multiple placements, there's the level of trauma you're coming with, right?"
	"You catch a kid when they're a baby, 5 [years old] and under and you probably get numbers that they stay in a home."
	"There's such a wide spectrum some people experience, just like I went to everyone [placement-group home] in Seattle, but I met a couple of kids that probably only ended up in two [placements]."
	"The older, 10-12 [years old] especially coming from like a traumatic background or just like already having a really rough life, I feel [we] get moved around a lot."
	"Talking back, being difficult, or just being can lead to such disastrous consequences where you can get kicked out… it all feels like typical adolescent developmental milestones that you just live into as a young person, [but] it becomes so catastrophic that you're set up for assuming that everything you do is going to be magnified in these huge ways because you can get kicked out of your home or your caseworker can be called, and like they're threatening your very existence."
	"They want the younger child; they don't want the one that's had multiple placements that's had problems."
	"You're much more likely to get jumped on by a group home staff than a JR guard. The JR guard's gonna have to explain it up the ladder [of authority]."

Appendix B: Supporting Evidence/Quotes

Placement Instability, Continued	"Each placement you lost your entire identity and that kind of trauma is so impactful…that by the time you grow up and you are having what they call behavioral challenges, they blame you when it's not you, you've been raped by the system and then blamed for having a reaction to being raped by it."
	"They would take me to these things called 'Family Fest'… like a f**king Humane Society for kids, so that's when I ended up getting adopted. After a year, they got rid of me, and I think it ties into the prison pipeline as well--just getting that level of rejection."
Peer Relationships and Role Models	"I'm so grateful that I had broken people to love me because it was the only love I was getting, and some of that love was safe and familiar in ways."
	"A lot of people that would be like foster youth or people that would just exist more like within the substance abuse culture tent, kind of congregate around each other and share the experience and admittedly it is easier to do so when you're high."
	"I can't remember any positive experiences or conditions in the outside world…state girls, state boys, like you rely on each other, you teach each other survival skills."
	"Sometimes that support isn't the best support for but you, but you're just trying to survive."
	"I only fit in with the misfits, and that's where my addiction started. Because it was the other kids who were also on the outside of the circle."
	"I got in a relationship really young… so then I built co-dependent skills, because everybody else rejected me. So I have to hold on to this for dear life and not even honor who I truly am, or have the space to acknowledge that I have some dysfunctional behavior from trying to survive as an unwanted child in the system."
	"Being in foster care exposed me to a lot of different kinds of people… But you know nobody else would have me. I remember people taking me home to their families when I would be in a new school or something, and then the mom would strike up a conversation. And then soon as she found out that I was [a foster kid], I didn't get invited over again."

Appendix B: Supporting Evidence/Quotes

Peer Relationships and Role Models, Continued	"All my friends went to prison and so… I was alone and I remember wishing that I would have been [present with them]. Because now all my protection and all my connections are all incarcerated."
	"I only got to know college and whatnot… because there was this one person at UW that I met because of my ILP providers took me to the UW for a tour… and the facilitator for that program met me, and I said all the right things."
	"I have a fractured education. I have no attachment to any adults in my life. I've got no home that people can come over to. No, foster parent gonna let you have friends over to play or do whatever… There weren't a lot of options because if I did have a friend that was not one of the street kids, I had to like disassociate from so much of myself. I had nothing to share, I had nothing in common, and as soon as I started talking about my life, I was a freak, right? Because I was so deeply bereaved from losing my family and being in state care that I didn't even have anything relatable to talk about… I was like attracted to people that had trauma, it was the only place I could be really f**king me because they hurt, and they knew pain like I knew pain, they knew survival like I knew survival."
	"There was a guardian ad lidem towards the end of my foster care, aging out that made sure they helped me with college applications and different little daunting things that I wasn't prepared for… that came at the end of my foster care stint."
	"What was beneficial to me and my time in the system was just like the fiscal support, like it was super helpful when I was in high school in foster care, and my guardian was able to buy SAT prep books that she got because I was in her care."
	"There is this group of girls that I got really close with and they were my role models. There was about four or five of them, and I met them downtown Seattle… I love them, they knew how to fight and they were boosters and those were the friends that I stayed with."
	"It's really big who you look up to when you have no family, because you feel loved or not… but you feel that's your comfort zone which is usually people you can get in trouble with."

Appendix B: Supporting Evidence/Quotes

Educational System	"I was living in one foster home, where we got $10 a week to take care of all of our needs, and that was everything, from like feminine hygiene to shampoo to food so I was reliant on school meals."
	"If you find a teacher that cares for you and then you have to move to a different school, it makes it even worse… it creates distrust. Generally, the [teachers] tell you I'm here for you, and then when you go somewhere else, you realize that it might not even be their fault but they're not there for you."
	"I had huge gaps from one school to another. One school might be, you know, working on math in a particular way, and then you go to the next school, and they just kind of throw you in, right? So, there was a lot of work to try to keep me on par. I also had no parents or caregivers to help track school, so I would be late on assignments."
	"Addiction it was like hand in hand with [peer groups]… not with education, but just especially when I started going to like alternative schools, at lunch we'd just go outside and smoke and like you know, the teacher doesn't really care."
	"Schools are resilient to accommodating and making school a safe place for these like complex youth, who have complex needs. Like there's no appetite towards making the student feel like school is a safe place that belongs to them. It's like the school is resilient to meeting the needs of these students and then also is actively pushing them towards the justice system."
	"I'm not at this place [school] trying to make friends, you know, this is a place for resources, and I started developing my transactional love skills to get my needs met: lying, manipulating, figuring out how I'm gonna survive."
	"Wherever you move, wherever you go, you know what's the same is the cops. And then you go into a school, and whatever harm or trauma you may experience at your first encounter to your last encounter with cops… you go into this new school, new placement, and guess who's the security like they like still wearing their badge and their gun."
	"My experience was that, and a lot of people I knew, that we ended up getting stuck in special behavioral classes, more alternative schools."

Appendix B: Supporting Evidence/Quotes

Education System, Continued	"I felt really held back at the fact that the school I came from isn't like on the similar curriculum as the next school."
	"The education [system] is one size fits all, and really nothing is one size fits all."
	"I didn't go to many schools because…like in the fifth grade I started going to juvenile schools, which… are as could be expected, dysfunctional."
	"Not being able to establish the same friends, the same teachers, things that made kids feel comfortable in their learning environment."
	"It's very unstable, and it's hard for folks who are in foster care even feel like school is a place for them worth investment, right? Especially if you're moving around from placement to placement, going from school to school, which for many folks is a place of safety where they can only invest in their education and grow as a person and also as a student. It's really just a place of extended trauma for foster youth…. School is literally just an extension of detainment."
	"I was in behavioral classes. I was never really looked at the same as the other students, I feel like because I acted out a lot, and because I had a weird home background and especially one of the foster homes I lived in."
	"The school districts administered the group homes. They know who all the kids from the group are. You're already condemned when you walk into the classroom, right? They know you're an ass, and you just live up to that."
	"School became a marketplace for my resources and needs. If I needed some [drugs] I'm going to go to school. And then I got to be cool with certain people."
	"Everyone was wearing like name brand (clothing), like I don't remember what was cool at the time… but I didn't have any of that stuff, so I just kind of dressed like a homeless kid, like compared to all the other kids."
	"I feel like schools and the legal systems are tied together, because I've heard even school resource officers, if they have to get involved with you those school resource officers make a police report."

Appendix B: Supporting Evidence/Quotes

Education System, Continued	"I went to this school… where there was all white kids, and none of them even knew what foster care was. But it was horrible… I just hated it. I acted out, and they treated me like I was incompetent and didn't even try to help me. They were like, 'Oh, you don't have to do homework because you don't know how.' And I just hated it."
	"When I showed up and tried to make friends, you learn how to code switch pretty fast because you become a freak pretty quickly. People's parents don't want to have you over just because of the stigmatization of being a foster kid."
	"Transitioning from multiple placements to another is always like the transcripts would change, and depending on where in the state you would go, that could affect your education."
	"You're taking this displaced youth… to a new school, and there's an innate sense of lack of security and stability, like, 'I'm coming here, I don't know anybody, I don't know my teacher, I don't even know the people I'm living with.' Education and schooling is… not a priority."
	"The way I feel about schools and how they utilize resource officers and police officers is I've always felt like school is setting up our [state-dependent] youth to transition into the legal system because it's every time I heard a youth get in trouble in school, they're like, 'Oh, this goes on your permanent record for the school,' and I'm like that's the same thing that happens when you face the legal system."

Appendix B: Supporting Evidence/Quotes

Regarding The Belly of the Pipeline

Encountering the Judicial System	"They're [judicial system agents] profiling so if they get a profile or your files, or they get anything that they can use to identify you within their system… they're going to build a profile on you… but also how they proceed within the current context of your own situation whether you committed the crime or not."
	"The person with the most say is the… county prosecutor office, you know, and at least in foster youth, that seems problematic. When you have a family and a community that comes to the table for you—that's gonna leverage which prosecutors are into giving that young person diversion."
	"Depending on… what demographics you're in, that can include things anywhere from like race, what kind of situations you're in, how you act, or even how you present yourself culturally. I think a lot of those have a massive impact on how they treat you… whether it's with empathy and wanting to empower you, or trying to disempower you and exploit you"
	"Nobody was there. My lawyer had told my family that it was going to be on Zoom and then the day of supposedly he found out that it was going to be in person, so I had not a soul in there."
	"Maybe one of my social workers she showed up like twice to court, but usually they're just over the phone because I didn't have a guardian. So they had to have somebody present somehow."
	"If your mom and dad is in the courtroom, you're probably going to get released. If you're in foster care, there's a good chance that you're going to get some type of time."
Inequitable Access to Diversion	"They wouldn't have addressed the whole total human instead of just saying, 'Oh, we're trying to divert you from the problem,' when this problem arises from all these lack of needs."
	"If I had like a stable environment, and I was offered [diversion]… I think it would have helped a lot."

Appendix B: Supporting Evidence/Quotes

Inequitable Access to Diversion, Continued	"If I could be incentivized with basically having all my needs… on a basic level met, and then having opportunities for myself to pursue kind of where I'd want to go from there and having that support, then I think that would be a lot more approachable [diversion] not just for me, but also for my friends, who also were foster youth that ended up homeless."
	"The person with the most say is the… county prosecutor office, you know, and at least in foster youth, that seems problematic. When you have a family and a community that comes to the table for you—that's gonna leverage which prosecutors are into giving that young person diversion."
Probation Trap	"[Probation] It wasn't really for foster kids."
	"They immediately put me on probation after my first offense, and then that was pretty much the whole reason that I was in and out of juvie [JR facilities] so many times, like it was a month I was in and out"
	"Dual-system impacted youth go from school to school, first they think they're doing them a favor, the courts doing them a favor by putting them on probation just by, you know, the merit of being a foster youth. You violate your probation, you know, moving from place to place, not paying your fines that you don't have money for…and you end up in juvie [juvenile rehabilitation facilities]."
	"You know, a lot of foster kids end up homeless, especially as teenagers you can't, you can't just like survive and take care of yourself on the street [when] you're worrying about this warrant that's over your head because of probation."
	"You're closed off already. You don't even want to hear what he [probation officer] has to say, so how do you learn from a person where you don't want to hear what they say?… We just want this to be over with as fast as possible and hope he doesn't incarcerate you again."
	"My experience with probation was… I never even met with my PO [probation officer]. Even when I went and got arrested and went back to juvie [juvenile rehabilitation facilities], my PO never came in and even met me. So it was just pretty much like a scam that just sets you up for failure."

Appendix B: Supporting Evidence/Quotes

Probation Trap, Continued	"They put me on supervised probation, and it wasn't beneficial for me at all, honestly, because the PO [probation officer], knowing that I was homeless at the time, was making every excuse to violate me, every excuse to lie to the court to get search warrants… I didn't feel like they were trying to even help. That felt like they were trying to hold me back."
	"I would say [probation] dragged me deeper into the pipeline because I was already in foster care, with no placement or no family. I just had my social worker barely, so it's like I kind of already was in some sort of probation, and then to get put on actual probation, it's just like another thing over my head… There was no way for me to even get to my probation officer, even if I wanted to."
	"That was pretty much the whole reason that I was in and out of juvie [juvenile rehabilitation facilities] so many times, like it was like once a month I was in and out… because as soon as I left, like my placement or the shelter, I was supposed to be staying at, or I just wanted to live on my own because I had nowhere to go, I would immediately have a warrant out for my arrest because of this probation violation."
Juvenile Rehabilitation	"Once you've been in some of those homes, you've been through trauma, you can easily normalize trauma. So when you get to juvie [juvenile rehabilitation facilities], what might be crazy to a kid that's never been in the foster care system might not adapt quickly because he came from a normal home and hasn't been in the chaos and confusion that sometimes is DCYF."
	"The education when I was there… it wasn't bad. I got all my credits in juvie [juvenile rehabilitation facilities], and that's the only way that I graduated… they kind of just hand out credits like really fast."
	"The skills we learn in foster care, shuffle through so easily to protect ourselves while [incarcerated] because we are already having to protect ourselves in these environments."
	"You're sort of programmed within, like the structure… You're always being surveilled. You're being told that you're distinctly separated from society, and you're going to rejoin the society or something. You just get mentally prepared for that kind of mindset when you go through that."

Appendix B: Supporting Evidence/Quotes

Juvenile Rehabilitation, Continued	"I go to juvie [juvenile rehabilitation facilities]… and I'm just living with a whole bunch of people, and you just kind of learn how to get through every day just by surviving. Like I never really had much when I was out, and then I went in, and I still didn't really have much, like nothing really changed."
	"I went to Maple Lane, Echo Glen, Green Hill, Naselle and then I was in all the foster and group homes, and it really wasn't that much different to me. You're still dealing with counselors and social workers; you're in this communal living environment. There was no real difference except I could run away from the foster homes."
	"It just felt like a shuffling… and you're going to get some labels on you. It never felt like I was seen as a child, a person or anything, and so going in there [juvenile legal system] and then going back out into the home, that shuffling it was more of the same narrative [as experience in foster care], that you're just a pass through, you're not a person, don't nobody care."
	"You're property of whatever state that you are a ward of… And because of that distinction, legally, it's really the same logic basically, it's when you're owned by the system in like [detention facilities], you become property of that facility or state. When they are doing that, it does seem like you're not meant to like actually succeed. It just seems like you're meant to end up there."
	"Being involved in JR [juvenile rehabilitation] system necessitates survival skills so that you aren't harmed… But at the same time, the system harms you because it wires you to always be in this fight or flight survival mode, which just doesn't help you transition back in when you leave."
	"You've been through this fear of a new environment as a child, and having to get used to things and just get over it, and anything that's bad there [in detention facilities], you're able to get over it and adapt to disappointment easily. You just basically normalize really quickly. And when you normalize, you transition in this comfort zone there."
	"…group home staff and JR [juvenile rehabilitation] guards right, their source of power is the same thing, like it's the state empowering them to do whatever they want to."
	"Skills we learn in the foster care system transfer so easily to protect ourselves in detention because we are already having to protect ourselves in these environments."

Appendix B: Supporting Evidence/Quotes

Juvenile Rehabilitation, Continued	"I had more attention as a child than when I was locked up because you had your individual case worker. So I was closer to my case workers [while incarcerated]. I still actually have fond memories of a couple of them that I spoke to more than like if you go to a large group home or receiving home."
	"There is a difference between genders in JR [juvenile rehabilitation], you know, the treatment of genders, there's a lot more boys. But all the females I knew, because almost all of them were state girls, almost all of them were from the foster care system."
	"Some of my best childhood memories are tied into being locked up in juvenile and not on the streets. I did almost all my childhood there, and I think I was closer to the counselors in juvenile, and some of my best friends grew up and went to prison. Those deep bonds that I created were a lot of them, those friends I met in juvenile. It was, in a way, that the child juvenile system was better than the foster home system."
	"You're pretty much raised to be here…"
	"Survival skills… that's one of the things that I think serve foster youth going into incarceration. Not all foster youth have the same survival skills, but they all have a survival strategy."
	"Trauma-informed should have been like best practices like every person that has to deal with these highly-vulnerable young children should have had trauma-informed training."
	"I was always in and out of juvie [juvenile rehabilitation] until I caught my big charge, and then I was in a whole bunch of different facilities. There's no difference [between foster care and incarceration] besides the fact that I can't go places. I'm still with a whole bunch of people my age, and we all have similar backgrounds."
	"Even when you go to prison, even when you make it to Echo Glen, it kind of feels like that's where you belong. I felt so blessed… I felt lucky, like I know this."
	"You're much more likely to get jumped on by a group home staff than a JR [juvenile rehabilitation] guard. The JR [juvenile rehabilitation] guard's gonna have to explain it up the ladder."

Appendix B: Supporting Evidence/Quotes

Regarding being Flushed out of the Pipeline

Peer Relationships and Role Models	"I can't remember any positive experiences or conditions in the outside world…state girls, state boys, like you rely on each other, you teach each other survival skills."
	"When I was about 17, I talked to the state… and asked how I could get my custody like released. I was trying to get emancipated, and they wouldn't do it. But they said they would do it if I got married, and so I found somebody over 18 to marry me… and so I got married until I was basically legal and then got divorced."
	"…never had a driver's license, no credit history, I still can't, so I feel like I got my sh*t together. I still can't go find a place to rent. No one's going to rent to me."
	"I only got to go to college because I met an advocate at UW specifically for foster youth. My social workers before college… and also like the family that I lived with bombarded me with threats about failing more than any support to prevent failure."
Unmet Resource Needs and Skills	"Everybody who comes here [Echo Glen juvenile rehabilitation facility] get this meeting called the RTM, the release team meeting… Most of them [detained youth with families] have someone to go to, so like their re-entry team meetings, they're just a joke."
	"While in there [incarcerated], I had gotten sexually assaulted… and I found out through my caseworker that I had a positive pregnancy… After they released me, they didn't help connect me with any resources, even if the best they were going to do was send me to the hospital because they knew I was having problems… Three days later, I was found unconscious on the sidewalk."
	"I come out, they didn't give me any identification… I couldn't even cash the $40 gate money they give me which was a check. I was in prison clothes, nowhere to go. That's a recipe for disaster. Never had a driver's license, no credit history, I still can't find a place to rent."
	"I was really pissed and was also really rebellious like, why would I give in to a system that I knew was oppressing me? And why would I care about really the outcome…"

Appendix B: Supporting Evidence/Quotes

Unmet Resource Needs and Skills, Continued	"They assign me somebody from DOC (Department of Corrections) called a re-entry navigator… DOC navigator was a cook who decided to get better paid by being a re-entry navigator… They have all this money to hire this whole team of people, and they don't have any resources. They don't give you anything, not even a change of socks."
	"No help paying for college… there was no like, 'here is housing and we can help you with you find out how to pay these bills and budget' like none of that was available.
	"I didn't have much support at all… that was the hardest part for me coming out and starting to do drugs and not having any support…"
	"When I would get released from detention, usually they would take me across the street, there was this group home called Spruce Street… I went inside one time, and I learned because they'll take your shoes and your clothes, and once you go upstairs, you're trapped in there… So I'd get released and then the social worker would take me there and I would be like, 'Nope, I'm leaving,' and I would go to the bus stop. I was homeless, but I had lots of friends."
	"I didn't have much support at all… that was the hardest part for me coming out and starting to do drugs and not having any support…"
	"DCYF say that they offer like a lot of services for like re-entry. But I like never really see anyone get out and get connected with resources from here. Like I know there's like the job corp program, and it sounds really good, but I never see anyone who actually got into it."
	"We don't learn financial literacy by the time we age out, so you're dependent on some other being for your well-being."
Survival-Based Role Models	"There's not a lot of support for anyone and you really have to find that support… sometimes that support isn't the best support for you but you're just trying to survive."
	"The streets seem better, seem like you have autonomy like stay at this place, or go to the streets. We're not scared, we're desensitized to homelessness. And so now we're not only dual-system impacted but we are triple-system impacted."

Appendix B: Supporting Evidence/Quotes

Survival-Based Role Models, Continued	"It's really big, when you get out, if you don't have resources there—what you're going to find is your comfort zone, which is usually people you get in trouble with."
	"If you're not designed to succeed it doesn't matter where you end up failing whether its in prison, dead or out on those streets, and a lot of people are ignored for that. About a third of the people that I met whilst homeless did come from foster care and some of them ended up doing things similar to what [council members here have done] and other people they just die."
	"When I was 16 years old, I was done. I had been through drug and alcohol treatment, I got sexually assaulted by the teacher, and I was in a foster home and was just treated really terribly, and so I decided I was gonna run. I was pretty clear that if I ran, I was not going to be able to return home, and I'd be picked up because I was a runaway…"
	"When I would get released from detention, and I was there at least once a month in juvie [juvenile rehabilitation], usually, they would take me to the little group home called Spruce Street, and it was where all the foster kids would go that didn't have placements. I went inside one time, and after that, I learned because they'll take your shoes and your clothes, and once you go upstairs, you're trapped in there, and so every time my social worker would take me there, I'd be like, 'Nope, I'm leaving.' I'd just leave and walk to the bus stop. I was homeless…"
	"If you don't have family when you get out, guess who our family kind of is, and the people you look to. It is other people you met in foster care and especially juvenile."
	"When I came out when I was young, I had a group of friends and people that I could rely on… It was usually the person out there who's doing the best because they could help me out. They would give me a starter kit… which would usually be a sack of drugs or whatever, just to get on your feet. It might buy you a couple sets of clothes."
	"The experience of everyone who's successful is a criminal. That's all I wanted to be because there's no ability to imagine being a lawyer or anything like that."
	"I had to be like the example of not being taken advantage and then like the people I was hanging with in the streets…"

Appendix B: Supporting Evidence and Quotes

Survival Based Role Models, Continued	"There is this group of girls that I got really close with and they were my role models. There was about four or five of them, and I met them downtown Seattle… I love them, they knew how to fight and they were boosters and those were the friends that I stayed with."
	"Most of my friends who I was staying with… were heavily involved in the streets."

Appendix B: Supporting Evidence and Quotes

	Quotes from Treehouse Staff
Regarding the Treehouse Educational Advocacy Program	"I personally experienced a young person being arrested twice while at school, but I know that it happens a lot more than it should."
	"I had two cases that I worked on in the same district. They had a resource officer that just loved arresting people in front of the entire school and making a show of it."
	"We had a [LatinX] student who had been on the run for some time, and [they] were a high school age student and [they] came back into care, was in a relatively good placement that [they] enjoyed and liked. At school, and they had a history with law enforcement that was not a positive experience, so they were pretty triggered and upset by the security officer at the school following them around. They expressed to the school, 'This is a lot for me, get him out of my face,' and nobody listened to her, and it resulted in the student laying their hands on the security officer and they were eventually taken into custody and put into detention."
	"We were talking about what does re-entry look like into the school, and [the school staff] were wanting to set some very strict guidelines, 'If you were to come back to this school you can't wear this, that you can't say this.'"
	"The social workers and foster parents aren't speaking about the injustices of their children. The parents that have children that experience bullying, racism and [general] problems they're going to be going to that school and breathing down that principal's neck every day. Fosters don't have that support system of a single person to come in and say, do this…"
	"I had a student whose case I was working and he moved at least 5 times that I was able to document and that was before he was referred as a behavioral rehabilitative services (BRS) student. Apparently this student had instigated a little fight at school that turned out to be nothing serious, but the BRS placement manager for the private agency said, 'Next time just get the police involved, like the student needs to learn that where this is going to lead.'"

Appendix B: Supporting Evidence and Quotes

Regarding the Treehouse Educational Advocacy Program, Continued	**Quotes from Treehouse Staff, Continued**
	"This is a younger, highly-mobile youth… basically we came in, and then the school immediately said, 'WHOA! Behaviors are crazy, let's put them over in a closed environment,' which I fought against. After three months he [the student] calms down… and the school's like, 'Oh, we can work with them now.' Today they go, 'Oh, well we have our resource officer talk to him about the implications because the way he grew up in the country and the way he plays with other kids, he's playing with them and going BANG, BANG, BANG.' So they had their police officer come in and talk to him to tell him about the implications of going to prison if he keeps acting that way."
	Quotes from Council Members
	"I think it would have helped a lot."
	"For me personally and my brother, I don't think it would have worked. Just hearing it (program model) behind the scenes… I believe we need like people in our face."
	"After the age of 13 or 14, this probably wouldn't have done anything because I could not go to school because there was no stable place for me… I was living on my own, like I cannot rely on anyone."
Regarding the Foster Care-to Prison Pipeline	**Quotes from DCYF Contracted Psychologist and Professor of Psychiatry and Behavioral Sciences**
	"I think we all know… there's a significant driver, which is racism, that drives a great deal of this… that Black and Brown young people are the subjects of these kinds of practices."
	"I think alternatives are… how can we take the resources that we use inappropriately, and see if we can… really develop alternative living situations that are supportive. So, in fact, you can have a diversion, and you can have the support, even if the fact is that the foster family, the bio family is not ready, or could be ready at some point in time, but there's some alternative placement that's supportive, provides a whole host of services for the young person. If you gave them [state-dependent youth] a relatively nice place to live, people wouldn't be unhoused. They wouldn't be living on the street."

Appendix B: Supporting Evidence and Quotes

	Quotes from DCYF Contracted Psychologist and Professor of Psychiatry and Behavioral Sciences, Continued
Regarding Mental Health Services	"All the evidence is if we are doing this, and I'm sure many of you do, all the evidence that if we continue to do, we get bad outcomes and we invest in bad outcomes. When people say, 'Well, this community stuff doesn't work,' we well know what doesn't work: detaining kids and young people for long periods of time and not providing them with service or guidance and support. We know that there's strong evidence that that's a failed system."
	"Crossover is misapplied to human beings. The crossover is systems, which are, you know, in many ways interchangeable. The crossover is not you've gone from the foster care into juvenile justice. From my perspective, it doesn't relate to the young people because the circumstances are so indistinguishable."
	"Any number of young people could say, 'Well, it hasn't had that much of an impact." But it has had a greater impact than young people just spending time in these circumstances, without getting the benefit of learning any strategies and skills, to more effectively address some of the miseries that they've experienced and learn some tools to deal with that."
	"What drives so much of our juvenile justice system in inequity, just inequity across the board and things that happen to young people, because of a whole host of inequities… Programmatically, I would create community-based systems, strategies, programs that would be supportive for the youth in the community. Whatever needs that young person has, I would look to provide those in the community."
	"I wouldn't minimize learning how to be more effective, even in the face of an environment that is not supported. Learning how to regulate and learning how to deal with the stress more effectively, it's a good idea. If you don't provide all the other needs, any intervention like that having to do with your thinking and your emotions, is going to be less than effective."
	"Providing something in isolation, like DBT [dialectical behavior therapy], or any form of treatment, in a circumstance where you can't practice it effectively and there are so many things going on that are negative, it's not going to bring about an outcome."

Appendix B: Supporting Evidence and Quotes

Regarding Mental Health Services	**Quotes from DCYF Contracted Psychologist and Professor of Psychiatry and Behavioral Sciences, Continued**
	"When I say DBT [dialectical behavior therapy] is effective, this is not a panacea, this is a skill, and the way I've always thought about this is it has to be embedded in a whole systematic approach. If there are no services, no support, no education, all of those things are not addressed. Teaching someone to regulate their emotions is not going to be particularly effective. My thinking is we need to look at the whole world and the whole ecology that exists around the young person and figure out ways of being supportive. One aspect of that is learning how to more effectively manage one's emotions—but it's not going to be very effective if you're constantly being bombarded and mistreated in an environment.
	"The issue of trauma is such a core issue, and it is sort of swept under the table and not addressed effectively."
	Quotes from Treehouse Staff
	"I've been there [Echo Glen], I've observed DBT [dialectical behavior therapy] skills, there are posters in every living unit, you know reminders of use your stops skills and all these things. But what I don't see and what I haven't observed is any kind of healing centered, trauma support for young people who are in an environment where they're experiencing trauma on a daily basis. A lot of DBT is radical acceptance and learning to kind of accept that you don't have any control and then go from there. But at the end of the day, like these young people need to feel empowered-- empowered in an environment where you're constantly being oppressed by the very people who are responsible to care for you."
	"I walk alongside young people in this environment and one of the primary barriers to their success, whether it be in education, whether it be in financial literacy skills, like post-secondary skills is the fact that they're living in active trauma on a daily basis, and the thing that they're focusing on the most is how to survive day-to-day."

Appendix B: Supporting Evidence and Quotes

	Quotes from Treehouse Council Members
Regarding Mental Health Services	"I questioned some of the state created therapies and programs so much because there are other programs that are creating grass roots in a lot of facilities that I have seen create changes in people. Matter of fact, I watched the clip, the clemency board, this is a good example, because there are people who have done 20 years in prison and when they go up there, they always have to give their spiels. I have never heard one say that one of the evidence based programs… experienced [resulted] in any change."
	"Some of the [dialectical behavioral therapy] skills are useful, and some of them are just like unrealistic. Like sometimes when you're in that state, like if you're upset because usually they [JR staff] upset you and… it's unrealistic especially for people who come here [JR facilities] to like use those skills because [JR staff] are so like, 'Just stop and like think about more,' and a lot of kids are not going to do that… When you get upset, you're in fight or flight mode, like me from like my experience, I always used to act on my first impulse. So like, DBT [dialectical behavior therapy] was like a joke to me at first, and now I'm a little older, I can see like, well this actually fits really well.. But for the 15, 16, and 13 year olds that are, it's just a joke to them."
	"Staff say that DBT [dialectical behavior therapy] changed their [incarcerated youth's] life, but not one person here [JR facilities] even takes it serious, just because it's unrealistic for the life that the kids are living."