20

.5

12/11/17
V.3

cjc

Sponsor: Balducci

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 5, after line 111, insert:

"20. According to department of adult and juvenile detention staff, youth have not been subject to solitary confinement at the youth services center since the early 1990s. Furthermore, the department's current policy for the use of isolation for youth at the youth services center generally mirrors the national standards as promulgated by the Juvenile Detention Alternatives Initiative and the Council of Juvenile Correctional Administrators."

EFFECT: ***Acknowledges in the Statement of Facts that King County does not generally use solitary confinement at the Youth Services Center for juvenile detainees.***

CB → carries

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1

11/29/17
V.2

Sponsor: Balducci

cjc

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 5, after line 111, insert:

"20. In June 2000, adopted Ordinance 13916 was enacted, which approved the Phase II Juvenile Justice Operational Master Plan. The council adopted as policy that the county's juvenile justice system emphasize prevention, intervention and alternatives to the use of secure detention for juvenile offenders. The policy acknowledged that the prevention of juvenile crime, and the intervention to ensure that juvenile offenders do not commit new crimes, is a much more effective and economical use of resources than building secure detention facilities.

21. The Phase II Juvenile Justice Operational Master Plan, developed over two years starting in 1998, recommended making system changes that would eliminate the need to build an additional eighty juvenile detention beds, which would have been added to the existing two hundred detention beds, with capital costs of almost seven million dollars, plus the addition of annual operational costs in the millions of dollars.

22. Most of the system efficiencies and alternative intervention and prevention strategies recommended in the Phase II Juvenile Justice

CD
WP

Operational Master Plan have been implemented. The implementation of the plan's recommendations has not only eliminated the need to build additional detention beds but has resulted in an over seventy percent reduction since 2000 in the number of juvenile offender filings, a similar reduction in the use of secure detention for juveniles, with comparable reductions in the number of juveniles under probation supervision even though the county's population has grown significantly during that period.

23. King County's juvenile justice reform efforts have become a national model for the Robert Wood Johnson Foundation, the Annie E. Casey Foundation, the Juvenile Detention Alternatives Initiative and Reclaiming Futures, among others. In addition, juvenile justice stakeholders have advanced new cooperative efforts with state and local agencies that serve foster youth and families, which have led to significant numbers of youth being diverted from the justice system.

24. The Juvenile Detention Alternatives Initiative is a national juvenile justice improvement initiative geared towards changing how detention should be used for youth. The initiative has been implemented in three hundred jurisdictions in thirty states and the District of Columbia. The initiative's goals include reducing unnecessary incarceration and improving conditions of confinement for incarcerated youth. The King County juvenile court began implementing initiative strategies in 1998 with the implementation of the Juvenile Justice Operational Master Plan. The county became a formal initiative site in 2004. As a result, the county

42 has experienced significant positive results from the initiative and other
43 system changes, reducing the use of secure detention while also reducing
44 overall juvenile crime in the county.
45 25. According to department staff, youth have not been subject to solitary
46 confinement or isolation at the youth services center since the early 1990s.
47 Furthermore, the department's current policy for the use of isolation for
48 youth at the youth services center generally mirrors the national standards
49 as promulgated by the Juvenile Detention Alternatives Initiative and the
50 Council of Juvenile Correctional Administrators."
51
52 **EFFECT:** ***Acknowledges in the Statement of Facts that King County has had a long***
53 ***history of juvenile justice reform and commitment to improving the circumstances of***
54 ***youth in the juvenile justice system, including secure detention.***

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1.5

12/11/17
V.3

Sponsor: Dembowski

[cjc]

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 6, beginning on line 117, strike lines 117 through 118, and insert:

"A. "Juvenile" means a person who is currently confined in a King County detention facility for a charge that was filed in juvenile court or based on conduct that occurred before the person's eighteenth birthday where their confinement begins before the person's eighteenth birthday."

On page 6, on line 123, after "housing," delete "time out,"

On page 6, on line 126, after "confinement."" insert "The use of single person sleeping rooms, during ordinary sleeping or rest periods, does not constitute "solitary confinement." The short-term placement of youth in individual cells for purposes of facility or living unit security issues or for other short-term facility physical plant safety and maintenance issues does not constitute "solitary confinement.""

On page 6, beginning on line 127, strike lines 127 through 134, and insert:

"NEW SECTION. SECTION 3. The solitary confinement of juveniles is banned in all King County detention facilities, except when based on the juvenile's behavior,

RD: → carries

19 solitary confinement is necessary to prevent imminent and significant physical harm to
20 the juvenile detained or to others and less restrictive alternatives were unsuccessful.
21 Solitary confinement may not be used for disciplinary or punishment purposes. The
22 department of adult and juvenile detention must develop policies and procedures for
23 solitary confinement with the goal of limiting its use and duration. In determining the
24 policies and procedures, the department of adult and juvenile detention shall ensure
25 consistency with nationally accepted best practices, which are those established by the
26 Juvenile Detention Alternatives Initiative, and should include:"
27
28 On page 7, beginning on line 138, strike lines 138 through 139, and insert:
29 "B. A requirement that solitary confinement be ended as soon as the juvenile
30 demonstrates physical and emotional control, and a limit on the duration of any solitary
31 confinement to no more than four hours in any twenty-four-hour period;"
32
33 On page 7, beginning on line 142, strike lines 142 through 144, and insert:
34 "D. A requirement that medical professionals assess or evaluate any youth
35 housed in solitary confinement as soon as possible after the youth's being placed in
36 solitary confinement, and that qualified mental health professionals evaluate and develop
37 a care plan, that may include hospitalization, for youth who are placed in solitary
38 confinement to prevent self-harm; and"
39
40 On page 7, beginning on line 151, strike line 151, and insert:

41 "intended to prevent the use of solitary confinement, and in the limited instances of its

42 use, ameliorate and mitigate the harms that result from solitary confinement of juveniles."

43

44 On page 13, after line 269, insert:

45 "SECTION 8. The provisions of sections 2 through 5 of this ordinance as they

46 pertain to the operation of the department of adult and juvenile detention's adult facilities

47 become effective on July 1, 2018."

48

49 **EFFECT:** ***Makes clarifying changes to definitions and the requirements for the use of***

50 ***solitary confinement/isolation.***

OK to just have one "juveniles"
RAR
2/12/17

20

2

12/6/17
V.3

Sponsor: Kohl-Welles

cjc

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 10, line 225, after "safety." insert "All juveniles detained in any King County detention facility shall have access to education programs and educational hours of service as required by state law."

EFFECT: ***Places in code the requirement that all juvenile detainees shall receive educational services, regardless of the facility in which they are held.***

JKW →
carries

20

3

12/6/17
V.1

Sponsor: Dembowski

cjc

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 12, beginning on line 250, strike lines 250 through 251, and insert:

"implementation of sections 2 through 5 of this ordinance twice, by September 1, 2018, and by January 30, 2019. The monitor, or monitoring group, shall consult with stakeholders,"

EFFECT: ***Changes the due dates for the two monitor reports from June 15, 2018 to September 1, 2018 for the first report and the second from November 15, 2018 to January 30 2019.***

RPi → carries

20

12/6/17

T1

Sponsor: Dembowski

cjc

Proposed No.: 2017-0473

AMENDMENT TO PROPOSED ORDINANCE 2017-0473, VERSION 2

On page 1, beginning on line 1, strike lines 1 through 12, and insert:

"AN ORDINANCE related to juvenile detention; establishing requirements for the treatment of and services to juveniles in the custody of the department of adult and juvenile detention; prohibiting solitary confinement of juveniles except when necessary for safety, security or other reasons precluding use of a less restrictive measure; requiring equal treatment and services to be provided without regard to which county detention facility houses the juvenile; and requesting the executive to appoint an independent monitor or monitors to report on the treatment of and services to juveniles at each of the county's detention facilities; amending Ordinance 12432, Section 2, as amended, and K.C.C. 2.16.120 and adding a new chapter to K.C.C. Title 2."

RBi → carries

18 **EFFECT:** ***Makes Title changes based on prior amendments at the recommendation of***

19 ***the Code Reviser***