KING COUNTY CORRECTIONAL FACILITY

OPERATIONAL MASTER PLAN

KING COUNTY DEPARTMENT OF ADULT DETENTION
Steve Schwalb, Director
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KING COUNTY DEPARTMENT OF ADULT DETENTION

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EXECUTIVE SUMMARY

In January of 1987, the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels which, if unabated, would tax the existing capacity of the jail facilities to meet their mandate to provide a safe, secure environment for staff and inmates.

A study and review of the King County Criminal Justice System, conducted by the 1987 Executive Jail committee (Holmquist Committee), concluded that even if all of the committee's jail population reduction strategies were adopted, the County's detention system would still require the development of additional correctional capacity. Based on a subsequent analysis of a consultant's population forecast report, King County Executive Tim Hill has recommended King County initiate a two phase construction approach that would provide an additional 1310 beds by the year 2000, and 1745 by 2010. This increase in bed space requirements is a direct result from:

- Insufficient design capacity of the King County Correctional Facility
- Increased incidence of violent, serious property, and drug related offenses
- Increased emphasis on law enforcement
- Increase in overall King County population
- Lack of institutional alternatives for the mentally ill, alcohol and drug abusing offenders

In response to the increase in the prisoner population, King County has developed and implemented dozens of criminal justice system operational efficiencies, expanded capacity, and contracted for additional correctional space. As a result, approximately 600 prisoners each day are diverted from secure 24 hour residential beds. These prisoners would be held in secure jail beds in nearly every other county in Washington State.

In the course of managing increasing prisoner populations, King County has examined several other potential solutions to the crowding problem, including:

- Restricting booking
- Early release
- Contracting for secure beds
- Developing new programs (non-capital)
- Developing new correctional facilities

Pursuant to these population management studies and analyses; and in the interest of public safety, protecting the integrity of the criminal justice system, and maintaining local control of jail operations, it is recommended that the King County Council review this Operational Master Plan and;

- Concur that additional permanent jail capacity is necessary beyond present levels.
- Adopt the Operational Master Plan.
- Authorize the Executive's scope of work and budget for preparation of the Facilities Master Plan and two phase EIS. This will help to decide; 1) what the options are for providing permanent jail capacity, 2) types of facilities required, and 3) criteria for to be used for potential site selection.
- Review and approve the final planning work schedule.

SECTION I

INTRODUCTION

OVERVIEW

The King County Correctional Facility is currently experiencing a crowding problem. Many correctional facilities locally and nationwide are operating with prisoner populations exceeding capacity. Most jurisdictions, including King County, have made intensive efforts to identify the causes of jail population growth and have shared and introduced dozens of strategies designed to negate or minimize the forces contributing to ever increasing prisoner populations. In January of 1987, the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels which, if unabated, would tax the capacity of the Department to meet its mandate to provide a safe, secure environment for staff and inmates. Formation of a high-level committee of criminal justice professionals resulted in a series of recommendations designed to ameliorate the rate of growth long enough to allow decision-makers adequate time to formulate a more permanent solution to the jail crowding problem. In addition to these reduction strategies, better use of capacity has also been addressed. In spite of these efforts, population levels have reached new peaks and threaten to reach truly critical levels.

In response to this inmate growth, the County has taken a proactive stance to this jail capacity problem as evidenced by the millions of dollars expended in recent years for new programs, new staff and equipment, and expansion of several facilities. Still, the prisoner population continues to grow on an annual basis, fueled by enhanced law enforcement activities and new legislative initiatives.

Construction is not the only resolution to jail crowding. A well balanced approach is required involving not only new confinement space, but continued cooperation among the various criminal justice agencies, as well as perhaps increased use of alternatives to detention for both unsentenced and sentenced inmates. King County can try to minimize the need for additional detention facilities by continuing to aggressively examine and introduce creative non-capital solutions. The Department of Adult Detention (DAD), subject to direction from the Executive and County Council, will assume the lead in identifying and assessing the feasibility and practical value of a variety of non-capital program alternatives within the context of the facility master plan, pursuant to Ordinance Number 8978.

REPORT ORGANIZATION

This operational master plan is organized into seven major sections:

Section I; "Introduction", A discussion on the authorization, mission, and standards governing the Department, as well as an overview of the report.

Section II, "Department of Adult Detention Authorization and Standards", outlines the authorization and mission of DAD specific to King County ordinances, Washington State laws, detention standards, building codes, and mandated and discretionary responsibilities.

Section III, "Problem Statement", presents information on the degree of the crowding problem and the factors contributing to jail crowding.

Section IV, "Programs and Alternatives to New Construction", provides information on the measures King County has taken to address the crowding problem between 1986 and 1990.

Section V, "New Facility Planning Process", outlines the scope of work for the planning process for proposed new King County correctional space. This planning process calls for a six-phase process that culminates with the construction of a new correctional facility that will satisfactorily meet projected prisoner population levels through 2010.

Section VI, "Alternative Solutions to the Crowding Problem", presents the measures King County has considered as alternatives to addressing anticipated population increases. Both near term and long term detention space needs are identified, as are several non-capital options.

The final section of the plan, Section VII, "Conclusion/Recommendations", summarizes the key findings and results of the studies and analyses King County has completed as part of the master planning process.

The appendices and a bibliography of sources that the Department of Adult Detention had referenced in its efforts to manage the population and plan for the future, are also included.

SECTION II

DEPARTMENT OF ADULT DETENTION AUTHORIZATION/STANDARDS

PURPOSE

The purpose of this section is to describe the authority by which the Department of Adult Detention (DAD) operates, and the performance standards which guide this operation. This section also describes each organizational section and how it fulfills the Department's mandatory and discretionary functions.

Department Authorization

The Department of Adult Detention became operational on January 1, 1983, in response to King County Ordinance 6066. This ordinance abolished the Department of Rehabilitative Services established by Ordinance 1872 and split its two divisions (Corrections and Human Services) into separate departments. Through this ordinance amending the County Charter (350.20), and through RCW 70.48 (Appendix 1), the department is responsible for administering and operating the County Jail and alternative detention programs. King County Ordinance 9133 (Appendix 2) reorganized the Department of Adult Detention into two divisions, the Operations Division and Services Division. The responsibilities of each division are discussed further below.

Department Performance Standards

The Department of Adult Detention is responsible for the safe and efficient operation of the county correctional facility under the provision of Washington State Law and the King County Code (2.16.120). (Appendix 3).

The Department of Adult Detention specifically, and correctional facilities generally, are charged with exacting the greatest nonlethal sanction permitted under our constitution: involuntary deprivation of liberty. Thus, the eighth and fourteenth amendments of the United States Constitution apply to the overall conditions of confinement and humane treatment. In addition to the above mentioned state and county laws granting authorization for the Department, operational standards have been established. These laws and rules provide standards for the operation of correctional facilities. Detailed versions of these standards and laws are provided (See Appendices 1-9). In general, they fall into the following categories:

Washington State Laws

The jail operating standards originally emanated from the City and County Jails Act, RCW 70.48, and are reflected in the standards

promulgated by the Corrections Standards Board (CSB) WAC Chapter 289. Effective 1/1/88, the Legislature repealed the aforementioned RCW, abolished the CSB and eliminated the WAC requirements. However, the Legislature mandated, that each county adopt their own set of standards. (See Appendix 1).

State Detention Standards

The CSB standards provided physical plant standards for holding, detention, and correctional facilities. The purpose of these standards was to provide minimum standards for remodeling of existing jails, constructing new jail facilities and for evaluating and measuring conformance of existing jails with physical plant standards in accordance with RCW 70.48.050 through 70.48.080.

The CSB also provided custodial care standards for operating holding, detention and correctional facilities, special detention facilities, and work release facilities. All aspects of the facility are covered, including general administration, staff training, records management, emergency procedures, classification, health care, sanitation, and a host of others. (Appendices 4 and 5)

King County Standards

King County adopted the above WAC and CSB requirements, without change, via Council Motion 7089 on 2/16/88. This motion stipulated that King County Correctional Facilities should also meet federal and state constitutional requirements relating to health, safety, and welfare of inmates and staff, and specific state and federal requirements (Appendix 6).

ACA Detention Standards

King County Council Motion 7089 also provided for consideration of the American Correctional Association (ACA) standards as replacement standards, in the event that the Council and Executive adopted these at a later date. A departmental review of ACA standards compliance is currently pending. A summary of the ACA standards is attached. (Appendix 7).

Judicial Rulings

There have been two federal judicial rulings pertaining to the operation of the Department. In 1979, King County (the Department of Rehabilitative Services) entered into a consent decree in U.S.District Court. The consent decree was intended to remedy conditions of confinement in the old jail by providing a compliance plan. This compliance plan included such facility actions as renovation of health services facilities, purchase of dental equipment, provision of attorney consultation facilities, expansion of recreational facilities, development of programs and construction of the new jail. (Appendix 8).

A stipulated agreement between King County and the American Civil Liberties Union, on behalf of inmates was ordered into the record in Federal District Court in 1990. This agreement stipulated timely transportation of inmates to medical care outside the facility and to court appearances, the security of the facility relating to staffing, and the inmate population capacity of specified inmate dormitory areas. (Appendix 9).

Fire and Building Codes

The correctional facility standards adopted by King County require specific written emergency, fire prevention, fire suppression, and evacuation plans. In addition, King County also has its own fire and building codes (Uniform Fire and Building Code).

AMA Detention Medical Standards

King County's adopted correctional facility standards provide for specific medical standards regarding health care policies, procedures, health screening, access to health care, and maintenance of health care records. The correctional facility is currently not accredited by the AMA. A request for additional resources to re-attain accreditation will be submitted to the Council in June 1990.

I. DEPARTMENT RESPONSIBILITIES

Previous sections have outlined the authorization and standards governing the Department. Within this general framework, the operations of the Department can be divided into mandatory versus discretionary functions.

A. Mandated Responsibilities

The Department provides detention and support services to the Superior and District Courts as well as 28 contracting cities and six other agencies (Department of Corrections, University of Washington, Port of Seattle, U.S. Marshall, State Patrol, U.S. Immigration and King County Police).

King County Ordinance 9133 specifies that the Department shall be responsible for the administration and operation of the King County Correctional Facility and alternate detention programs. The functions of the Department are outlined in ordinance 9133 as follows:

- House persons arrested, charged, and/or held on investigation of a criminal offense prior to trial or sentencing;
- House adult persons following sentencing;
- House adult persons following conviction of a criminal offense and serving terms not exceeding one year;
- Administer and operate work release programs and other programs

providing alternatives to confinement in the jail, as well as services or support functions directed to reduction of the jail's population;

- Provide administrative and support services, and inmate social services.

Pursuant to ordinance 9133, the Department of Adult Detention is also responsible for the management and fiscal accountability for the following divisions:

Operations Division. This division is responsible for the secure operation of the county correctional facilities. The functions of this division are subject to the performance standards adopted and include:

- Book and release inmates, maintain inmate records, process and identify inmate property;
- Perform functions related to residential and building security, including supervision of the inmate population;
- Transport prisoners to and from court and provide secure escort of prisoners outside the facility;
- Perform maintenance and repair duties within the correctional facility and serve as liaison with facilities management for maintenance and construction work not directly provided by the department.
- Provide nutritional meals daily to inmates including preparation of special meals in response to medical and religious requirements.

Services Division. This division is responsible for the management of inmate programs. These functions which are subject to adopted standards include:

- Operate alternative incarceration programs which allow selected inmates to maintain gainful employment, education or rehabilitative treatment while serving jail sentences.
- Classify inmates, evaluate mentally ill or developmentally disabled inmates, including referral to available community programs, review inmates with psychiatric problems and special population groups, provide general population group management, staff inmate council meetings, and provide outside agency access to the jail, including special visitation, library, recreational and educational services.
- Provide pretrial release services, including interview of detainees for the purpose of recommending release from jail, and

provide supervised release for detainees unable to obtain other forms of release.

- Provide health care to the inmate population including medical, dental and psychiatric care, in conjunction with the King County Health Department.

B. Discretionary Responsibilities

The Department also performs a number of discretionary functions. These functions, while discretionary, contribute to the efficient operation of the department and its facilities.

Billing. The Department provides billing services to 28 contracting cities and 6 governmental agencies.

Criminal Justice Planning. The Department performs analyses of criminal justice issues, including population trends and statistics, impacts of proposed and adopted legislation, program evaluation, and provides for general agency planning.

II. DEPARTMENT PERFORMANCE

This section describes how the Department of Adult Detention fulfills its mandated and discretionary functions.

The Department's organizational structure, chain of command, and section responsibilities, are outlined in the attached Appendix 10. The authority for the operation of the Department of Adult Detention is vested in the County Executive. This authority has been delegated, via County Charter, County Code and Executive policies, to the Department Director. The Department is organized into several sections. These sections include: Director's Office; Associate Director's Office; Personnel; Administrative Services; Staff Training; Correctional Services; Inmate Management and Services; Food Services; Court Services; West Wing/Work Release; and Intake/Transfer/Release. In addition, a direct working relationship exists with the Health Department and Facilities Management.

Each of the organizational relationships listed above are addressed in further detail below and in the attached organizational charts. Several performance measures have been identified to assess the workloads addressed by different Department sections. Associated performance indicators when applicable, are given for each section. (See Appendix 10).

Director's Office. This section consists of the Director and a Confidential Secretary. The Director provides overall direction for the Department. Sections reporting to the Director include the Associate Directors, Personnel, Administrative Services and Staff Training.

Operations Division. This division is supervised by an Associate Director (Operations). The Associate Director provides managerial direction for sections within the Operations Division, including Correctional Services, Intake/Transfer/Release, and Food Service. The Operations Associate Director also provides coordination between DAD functions and Facilities Management activities.

Services Division. This division is supervised by an Associate Director (Services). The Associate Director manages the Services Division, including Court Services, Inmate Management & Services, and West Wing/Work Release Program, and provides coordination between DAD functions and the Jail Health Services activities.

Personnel. This section consists of the Personnel Officer, Personnel Technicians, and an Office Technician. The Personnel Section provides for all personnel management services and policy advice to management and Department employees. Services include staff recruitment, selection, screening, promotion, pay and benefits programs, recognition, performance evaluations, classifications, labor relations, staff discipline, and retirement. There are 421 Departmental Staff; 288 positions are Correction Officers.

Administrative Services. This section consists of the Administrative Assistant, Program and Management Analysts, Accounting Supervisor, and Bookkeeping, Commissary, Payroll, Billing, and technical/clerical personnel. This section provides policy analysis, legislative liaison, inmate population reporting and analysis, budget development and execution, management information systems, accounting, bookkeeping, cash receiving and handling, staff payroll, inmate trust funds, inmate commissary, prisoner billing, as well as general staff support to the Director's Office.

Training. This section consists of a Training Manager, supported by instructors within and outside the Department. The Training Manager is responsible for providing services including new employee selection and orientation, academy training, instructor training and development, peer sponsors/mentor programs, employee training and development, training evaluation, and interagency training coordination. Department employees receive 40 hours of training each year. New Correction Officers receive 200 hours their first year.

Correctional Services. This section consists of the Captains, Sergeants, Corrections Officers, Jail Aides and some clerical support. Staff in this section have the primary responsibility for services related to institution security, including perimeter and interior security, contraband control, inmate supervision, escort of inmates inside and outside the facility. This section also provides for facility maintenance and supply functions, as well as the laundry.

of Public Health, this section consists of the Health Administrator, Supervisory Nurses, Physicians, Nurse Practitioners, Dentists, Psychiatrists, Pharmacists, Registered and Practical Nurses, and some technical and clerical personnel.

JHS provides health care (under contract) to the Department of Adult Detention for the main jail and the North Rehabilitation Facilities. The JHS provides the primary medical, dental, psychiatric and basic emergency care services on the residential floors, in ITR, in the medical/dental clinic, in a 26-bed infirmary and in a special psychiatric unit. Additional health services for inmates are provided at Harborview Medical Center, Group Health (for members) and University Hospital (obstetrics). Psychiatric care services are also provided by psychiatric evaluation specialists who are DAD employees.

Facilities Management. This section consists of the Facility Plant Manager and the trades staff who provide construction and maintenance services to the Department. Trades represented include carpentry, electrical, electronics, plumbing, painting, utilities engineers, as well as janitorial staff. These services are coordinated by the Maintenance & Supply staff in order to establish work priorities and coordinate security concerns.

Inmate Management & Services. This section consists of the Inmate Management & Services Supervisor, Psychiatric Evaluation Specialists, Case Managers, Correction Officers on special assignment, a Program Coordinator, a Recreation Specialist, and some technical/clerical support personnel. This section provides services including inmate classification and evaluation, involuntary commitment, inmate discipline, housing assignments, inmate programs, volunteer services, education, religious services, and recreation. This section is also the primary liaison with the North Rehabilitation Facility, operated by the Health Department.

In 1989, the section completed 33,133 interviews and housing assignments, conducted 3,527 disciplinary hearings, completed 3630 psychiatric evaluations, and referred 8,686 to the North End Rehabilitation Facility (NRF). A total of 80,000 hours of inmate recreation were provided in 1989 along with 26,910 hours of inmate schooling.

Food Services. This section consists of the Food Services Supervisor, Cook/Bakers and Cook/Helpers. Food Services provides nutritional meals daily to inmates, including preparation of special meals in response to medical and religious requirements. This section also provides staff meals. There were 2,167,000 meals served in 1989.

Court Services. This section consists of the Court Services Administrator, Supervised Release Counselors, Pretrial Screeners and some technical and clerical support personnel. This section provides services including pretrial release, court scheduling and coordination. This section serves as the Department's primary liaison with the courts.

In 1989, this section screened 23,591 cases and released 6,372 cases on personal recognizance. A total of 495 were released on supervised release.

West Wing/Work Release. This section consists of the Unit Manager, Sergeants, Corrections Officers, Case Workers and technical/clerical personnel. This section provides policy advice and services regarding the implementation of unit management, home detention, and work/release services. In 1989, This Division managed a daily average of 132 work release inmates, and 21 inmates on electronic home detention.

Intake/Transfer/Release (ITR). This section consists of the ITR Manager, Sergeants, Corrections Officers, Jail Aides, Receptionists, I.D. Technicians, Records Technician, and Mail Clerk. This section is responsible for the booking and release of inmates, maintenance of inmate records, legal document processing, inmate personal property, inmate identification, inmate mail, bail receipts, processing of institution visitors and responding to personal and telephonic public information inquiries.

In 1989 there were 56,266 bookings to the King County Correctional Facility. There were 56,013 inmates released from the facility.

Jail Health Services (JHS). Managed by the Seattle-King County Department

SECTION III

PROBLEM STATEMENT

Crowding Problem Pre-1986

King County began experiencing jail crowding in the 1970's which ultimately led to a consent decree which was order by the U.S. District Court in June of 1979 (See Appendix 8). The consent decree was intended to remedy conditions of confinement in the jail specific to the rights of prisoners under the first, fourth, fifth, sixth, eight, and ninth amendments to the United States Constitution. The allegations included: (1) overcrowding of the King County Jail; (2) lack of segregation of pretrial detainees and convicted prisoners; (3) excessive confinement and insufficiency of educational, recreational and vocational programs; (4) inadequate health care; (5) inadequate facilities for confidential conferences with attorneys; (6) inadequate provisions for visits with family and friends; (7) inadequate library services; (8) inadequate provision for detainee hygiene, sanitation and clothing; (9) a lack of adequate ventilation and light; and (10) inadequate staff support.

The consent decree's plan of action called for King County to proceed with acquisition, design and construction of a new jail facility. It noted that any new facility must comply with minimum constitutional standards.

The County's 180-day status report specific to the consent decree noted that the County had made application to the Washington State Jail Commission for a capital project in two phases. Phase one was for the construction of a new jail facility with a capacity of 780 beds, divided approximately 60 percent single cell to 40 percent dormitory, in accordance with the physical plant standards promulgated by the Washington State Jail Commission. Phase two called for the remodeling of the existing facility located in the King County Courthouse and abandonment of existing facility units located in the Public Safety Building.

The timeline for the new facility outlined in the 1979 consent decree is outlined below:

a. 1979: Environmental Impact Statement filed, preliminary design, commence site acquisition.

b. 1980: Design, site acquisition, preparation of contract documents.

c. 1981: Bid contracts, commence construction.

d. 1982-1983: Construction

e. December, 1983: Project completed; transfer of detainees to commence.

Following protracted construction, King County opened this new facility in 1986, at a cost of approximately 66 million dollars. The main correctional facility (Tower) had 784 beds and the West Wing (work release) had 300 beds, for a total of 1084 beds.

Crowding Problem Post-1986

King County's new jail facilities opened in early 1986. These facilities were originally planned to accommodate projected King County jail population until the year 2000. The state set capacities for new jail construction, which in King County was 1225, and tied maximum levels of funding to those capacities. In setting capacities, the state assumed that during the intervening period, demographic changes (including a reduction in the 25-40 year old age group as the "baby boom" population moved through the prime incarceration age continuum) would result in a declining at-risk population. As a result, only moderate population growth was anticipated.

A new high rise jail provided only 1084 of the projected 1225 beds. However, with expansion to 216 beds at the North Rehabilitation Facility (NRF) and 30 contracted work release beds, the total capacity of King County's combined correctional facilities exceeded the projected year 2000 need by over 105 beds on the day the new high rise facility was opened in early 1986.

The crowding problem which emerged again in 1986 was not unexpected. Several population projections had previously suggested much higher average daily populations than the State funded figure of 1225. These projections are noted below:

Forecast Year	Source	ADP by Year
1977	Carl Bennett	1560 by 2000
1980	State Jail Commission	1448 by 2000
1983	Arai/Jackson	1525 by 1986
1983	Arai/Jackson	1884 by 2000

Just as these projections suggested, the jail population has experienced continuous and rapid growth, both prior to and following the opening of the new high rise facility. The ADP increased from 726 in 1977, when new jail planning first began, to 1864 in 1989. Peak population days have often exceeded 2000 prisoners.

Table 1 (Appendix 11) shows King County jail population and incarceration rates from 1975 to the present. The incarceration rate, which is the ratio of jail population to county population, has steadily risen. Increases in overall County population alone have not caused the rapid growth in the jail population, relative to policy factors which affect incarceration rates. Changes in crime patterns, sentencing practices, arrest rates, and state legislation mandating incarceration for DWI and domestic violence offenders,

and felony sentencing reform have been viewed as significant contributors to increases in the incarceration rate.

Factors Contributing to Jail Crowding

In addition to insufficient capacity and an increasing incarceration rate, other factors which contribute to jail population growth and crowding are noted below.

- Aggressive Law Enforcement, New Technology and Patrol Strength

  The local criminal justice system has stepped up efforts on the "War on Drugs," gangs and gang related offenses, and even "Social Order" offenses such as criminal trespass, prostitution, gambling and liquor violations.

  Over 200 additional officers have been added to police forces in King County in the last few years. Advances in technology such as lap top computers and AFIS (Automated Fingerprint Information System), and special emphasis objectives have contributed not only to an increasing population, but to a more serious prisoner population as well.

- Lack of Institutional Alternatives for the Mentally Ill

  Despite strong and consistent historical interest in diverting mentally ill prisoners from the King County Correctional Facility, the funding of practical and effective alternatives continues to be insufficient.

- Lack of Space in Drug and Alcohol Programs

  As with the mentally ill, availability of affordable drug and alcohol treatment beds or outpatient support programs is also insufficient to the need.

- Misdemeanant Sentences

  The average length of stay for sentenced misdemeanant has increased from 8 to 13 days in the last 5 years.

Future Potential Legislative/Policy Impacts:

In addition to new laws and policies already enacted, it is likely that current and future legislation will produce new initiatives that could add to the crowding problem. Examples of potential future policy changes or laws include:

- closure of local municipal jails
- decreasing age of majority
- recriminalization of drinking in public

It is also likely that the full impact of recently adopted legislation has not yet been realized. Examples include:

- predatory sex offenders
- Omnibus Drug and Alcohol Bill
- burglary bill
- goodtime adjustments
- recriminalization of marijuana in Seattle
- Community Placement Bill of 1988

1987 Executive Jail Committee (Holmquist Committee)

In January of 1987, recognizing the implications of the early stages of the emerging crowding problem, the Executive appointed a King County Jail Committee made up of 17 representatives of criminal justice agencies whose collective actions all impact the population of the King County Correctional Facility.

This committee considered carefully and in detail each facet of the operation of the criminal justice system in King County. This examination led the committee to offer 49 separate recommendations for reducing the population and/or moderating the rate of growth. Most of the recommendations were associated with the development of system efficiencies and alternatives to detention. (Appendix 12) A discussion of some of these efficencies is in Section IV.

The most significant conclusion drawn by the committee was that "even if the bulk of our recommendations are adopted, essential public safety concerns will still require the development of additional jail space in the County."

Problem Statement - Summary

In 1987, the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels which, if unabated, would tax the capacity of the jail facilities to meet their mandate to provide a safe, secure environment for staff and inmates. Formation of a high level committee of criminal justice officials resulted in a series of recommendations designed to reduce or ameliorate the rate of growth long enough to allow decision makers adequate time to formulate a more permanent solution to the correctional facility crowding problem. In addition to these reduction strategies, the department has attempted to make better use of existing capacity, as well as create additional space. In spite of these efforts, population levels have reached critical levels.

King County's new jail facilities which opened in early 1986 were planned to accommodate prisoner populations until the year 2000. The State set capacities for new jail construction, which in King County was 1225, and tied maximum levels of funding to those capacities.

Prior to and following the opening of the new facility, the correctional population has experienced continuous and rapid growth. The average daily population has increased from 726 in 1977, when planning for the existing correctional facility first began, to a population of 1368 in 1986 when the facility was activated. The steady increase continued in 1987, 1988 and 1989, with ADP's of 1481, 1665 and 1864 respectively.

All credible evidence indicates that the increase will continue. The local community's interest in public safety, as evidenced by State Legislation including DWI, domestic violence, the sentence reform act, predatory sex offenders, omnibus drug and alcohol bills, and local ordinances directed at panhandling and alcohol abusers, demonstrates less tolerance for criminal behavior. Other initiatives, such as adding nearly 200 King County-area police, efforts to reduce the backlog of drug cases in the state crime labs, and increased emphasis on enforcing drug laws and addressing gang-related offenses, indicate that the prisoner population will continue to grow. The prisoner population growth trend has created serious operational and population management problems. The ability to continue to accommodate increased prisoner populations within existing facilities and programs that provide for public safety, maintains the integrity of the criminal justice system and does so in a manner consistent with council adopted standards is extremely limited.

SECTION IV

PROGRAMS & ALTERNATIVES TO NEW CONSTRUCTION

Purpose

The purpose of the section is to summarize the measures King County has taken to address the crowding problem between 1986 and 1990. The many initiatives implemented over the past several years were developed and introduced by the Executive, County Council, Judiciary, Office of Financial Management, and DAD. The strategies for managing the population are diverse and have targeted every component of the local criminal justice system. Population management strategies have focused on system efficiencies, program expansion, and developing new programs, as well as the development of additional capacity within existing facilities.

System and Operational Efficiencies

Many initiatives or strategies for maximum utilization of facilities and more efficient operations within the criminal justice system have been adopted and implemented. A brief description of some of the more effective strategies follows.

- Criteria for release recommendations for judicial review used by Seattle Municipal Court has been broadened.
- Seattle Municipal Court probation staff were granted authority to expand administrative recognizance release.
- Law enforcement agencies have conducted training or developed standards to guide and encourage officer discretion in deciding whether to book or cite and release.
- A credit card bail process for payment of fines and posting of bail has been implemented.
- Jail reception staff was increased in order to process cetain transactions faster.
- The Superior Court developed carbonized order forms to expedite certification and processing of pretrial release orders.
- The King County District Courts authorized DAD to accept partial payment and to release upon assurance of payment, all prisoners booked on bench warrants with bail of less than $250 for fine/restitution owing.
- The King County District Courts have implemented a calendar for screening/release decisions for prisoners held on outlying district court warrants.

- The prosecuting attorney has added staff to process presentence material to assure that the sentencing report is completed within four weeks of the date of the conviction/plea. (Were averaging 6 weeks)

- The Superior Court Judges offer each felon, at the time of sentencing, the opportunity to waive the 30-day jail time now set aside for preparation of an appeal.

- The Superior Court has implemented a weekly Sentence Reform Act (SRA) sentence modification calendar to hear motions to modify SRA sentences for noncompliance, for in-custody dependents within one week of booking.

- The county has increased courtroom facilities to accommodate increasing volumes.

- The local criminal justice system has established a "jail committee work group" to monitor the implementation and development of population management strategies.

- The Department of Corrections has added an additional weekly transfer of State Prisoners to DOC facilities including parole holds without local charges pending. (saves 3-4 days on time each prisoner held for the state)

- DAD implemented a "Direct-Reporting" program at the North Rehabilitation Facility for all out-of-custody misdemeanant prisoners sentenced to one, two, or three day commitments. (this lowered the ADP in the tower)

- DAD has increased the utilization of the pretrial supervised release program from an ADP of approximately 120 to 175.

- The Seattle Municipal Court has implemented Sunday and evening court calendars.

- DAD has terminated its Jail Services contract with the Federal Government and no longer accepts U.S. Marshal's prisoners.

<u>Capacity Expansion & Modification Initiatives</u>

- The North Rehabilitation Facility has been expanded from 191 to 236 beds (Capacity for this facility is rated at 216)

- The 160 bed work release program has been relocated to the remodeled old jail in the Courthouse. (This provided 168 more bed spaces in the west wing.)

- Sixty beds have been added to the King County Correctional Facility's West Wing. (Maximizing use of all available square feet)

- DAD has implemented an Electronic Home Detention Program which has experienced ADP's of 25-35.

- DAD has expanded the Community Based Contract Work Release beds with the State Department of Corrections (DOC) from 18 to 30.

- DAD contracts for approximately 25 secure beds with DOC at the state's McNeil Island facility. (These beds are available on a limited basis.)

- DAD has also assigned anywhere from 150 to nearly 400 prisoners daily to mattresses on the floor to address peak crowding populations.

Summary: Programs and Alternatives to New Construction

King County has conducted a very aggressive long-term campaign to address the crowding problem in a creative manner that reflects the principle of housing and supervising people in a safe, humane, and cost effective manner.

There are hundreds of prisoners assigned to and supervised daily in non-residential security beds or programs. Programs such as the pretrial supervised release, work release, electronic home detention, and the North Rehabilitation Facility divert approximately 600 prisoners daily from the King County Correctional Facility. These prisoners would be in secure jail beds in most other counties in the State.

In addition, the average length of stay (LOS) in King County is currently only 12.3 days. When compared to Snohomish and Pierce County's LOS of 21 and 15 days, King County's timely processing of prisoners provides a population reduction of over 1200 per day (when compared to Snohomish County) and a reduction 300 prisoners per day (when comparing to Pierce County's average length of stay).

King County has expanded capacity both within its own facilities and by contract; utilized non-secure housing space to the maximum extent possible that provides for public safety; and has also implemented dozens of system efficiency measures designed to offset increasing populations.

SECTION V

NEW FACILITY PLANNING PROCESS

PURPOSE

The purpose of this section is to outline the 1988 scope of work for the planning process for proposed new King County Correctional Space if needed. Executive Hill submitted the attached Scope of Work (Appendix 13) to the County Council in August of 1988. Without modification and by a 9-0 vote, the Council adopted the Executive's Scope of Work as King County's formal planning process for the construction of a new correctional facility. The planning process, outlined below, calls for a six-phase process that culminates with the construction of a new correctional facility (and additional program capacity) that will satisfactorily meet projected prisoner population levels through 2010. The six planning phases are as follows:

Phase I	Preliminary work plan
Phase II	King County review/analysis of consultant's population study
Phase III	Program development
Phase IV	Facility development
Phase V	Site study/selection
Phase VI	Construction

The following information briefly highlights and describes the general objectives of each phase of the planning process.

Phase I: Preliminary work plan-1988

In preparation for the development of a formal master plan for a new correctional facility, DAD prepared a work plan designed to assure that all preliminary steps necessary to begin the project were completed by the end of 1988. Outlined below is a summary of the major issues or actions associated with the project's preliminary work plan. (All but number eight have been completed. The Jail Committee Work Group report is on the JCWG 1990 work plan and requires council appointment of two citizens).

1. Develop RFP/job description for the project coordinator position (Attached: Appendix 14)

2. Develop scope of work for a jail population study: Identify population analysis/forecast report objectives and list the data elements and formats required to meet the objectives, i.e., all population data that would contribute to final decisions associated with the facility program operations, design, and construction.

3. Develop an RFP for a population analysis/forecast consultant: In concert with the Office of Financial Management and council staff, develop and submit an RFP for a consultant to forecast prisoner populations for a minimum of 15 years and develop profiles of prisoner status groups and project long term growth of each.

4. Select population forecast consultant: Upon review of applications bids and based on established selection criteria, negotiate and execute a contract.

5. Select project coordinator: Upon review of bids and based on established selection criteria, negotiate and execute a contract for services to be performed in #1.

6. Establish oversight committee: Appoint a correctional facility project oversight committee for the purpose of obtaining specific decisions on program and facility development.

7. National Institute of Corrections (NIC) review of DAD classification system: Initiate a National Institute of Corrections funded technical assistance review and analysis of the DAD prisoner classification system. The purpose of the review is to assure that the current process for determining the needs and requirements for prisoners and for assigning them to housing locations and programs according to their needs and existing resources, is efficient, valid, and responsive to the Department's principle of housing inmates in the least restrictive manner possible. (See Appendix 15).

8. Jail Committee Work Group (JCWG) report: Pursuant to the "Partnership Program" enacted by RCW 72.09.300, the JCWG, acting as a Community Corrections Board, will develop a report on the "King County correctional system philosophy" that states the county's long range correctional philosophy and specifies how the Department of Adult Detention supports the community's corrections mission. Examples of principles or premises of the community's correction philosophy might include: 1) all prisoners should be housed in the least restrictive manner possible that is also safe, secure, humane, and cost effective; 2) conditions of confinement should not contribute to the punishment meted out by the courts; and 3) within the constraints of existing resources, inmates should be provided the maximum number of program opportunities for the purpose of promoting positive and lasting change.

The JCWG document essentially will formalize and define policies concerning the execution of the duties and responsibilities of each criminal justice agency, the nature of their relationships to one another, and their responsibility toward managing correctional resources.

Phase II: King County Review/Analysis of Consultant's Population Report

Phase II called for DAD Staff, Council Staff and OFM Staff to examine the consultant's (Jack O'Connell) report and analysis of the prisoner population and population projections. This work was completed by staff under the auspices of the jail oversight committee, who in turn submitted a planning range for detention beds to the Executive specific to accommodate the number of prisoners the King County Corrections system would have by the year 2010.

The executive submitted a motion (attached Appendix 16) recommending that King County plan a new correctional facility that could accommodate an additional 1745 prisoners above the existing rated capacity of 1623 by the year 2010.

Mr. O'Connell is recognized nationally and locally for his work in jail and prison forecasting. He is recognized as the pioneer of the "components of change" forecast methodology which factors in assumptions on both the impacts of public policy, as well as demographics, on changes in jail populations. King County's forecast assumptions were established by a team of local experts in criminal justice and public policy analysis. Mr. O'Connell's complete report is attached (Appendix 17).

Phase III Program Development (Operational Master Plan) 1990

The program development phase focuses on two primary issues:

1. Matching the projected prisoner population to available facilities and programs; addressing whether new permanent additional jail capacity is necessary beyond present levels and

2. Suggesting alternative methods for handling projected populations. (This issue is addressed more fully in Section VI Alternative Solutions).

A brief outline comparing forecasted population to the current facilities rated capacity is noted below.

Correctional facilities are assigned rated capacities based upon applicable standards and law. Standards tend to be premised upon criteria related to accepted health and safety concerns, and generally specify custodial factors including minimum square footage per inmate, sanitary requirements, shower and toilet to inmate ratios, and related program requirements including visitation, recreation, meal frequency, etc. Prior to the dissolution of the State Corrections Standards Board on December 31, 1987, the Board was responsible for setting rated jail capacities in the State of Washington. Effective January 1, 1988, individual counties are responsible for adopting their own standards. Pending application for accreditation by the American Correctional Association (ACA), King County has chosen to adopt the previous state jail standards. (These standards are attached in Appendices 4 and 5.)

When the new jail facilities were first occupied in late 1985 and early 1986, the rated capacity reflected the design capacity of 1084, which

included 300 beds in the West Wing and 784 in the Tower. Pursuant to modifications in the physical plant standards in 1986, the rated capacity of the West Wing was increased to 375 and the Tower to 846 beds. The Board subsequently agreed to add the Tower's 26 infirmary beds to the official count of rated capacity. Thus, at the time of the Board's dissolution, a combined capacity figure of 1247 for the two units reflected compliance with then existent state standards.

Today, rated capacity of the North Rehabilitation Facility is 216, and the work release program is set at 160, for a total system rated capacity of 1623.

Tower	872
West Wing	375
Work Release	160
NRF	216
	1623

Based on the consultant's forecast and subsequent analysis by the Jail Oversight Committee, the Executive has recommended that King County plan on accommodating a total system population of 2988 prisoners by the year 2000 and 3353 by 2010. (Additional information associated with long term detention needs is noted in Section VI).

Phase IV: Facility Development: (FMP, Program Plan, Design) 1990-1991.

This phase requires the project coordinator to coordinate the development of new correctional space that will adequately address the projected population, utilizing staffing and operating plans that have been approved by the Executive and County Council.

Decisions to be made within this phase include those associated with:

1. The Facility Architecture Program Plan: DAD and project coordinator submit a program plan that includes a square footage listing of functions, specifics related to functional relationships, descriptions of security systems, operations, prisoner classification/facility distribution plan, and management requirements and staffing patterns desired.

2. Schematic Design: From the program plan, an architect prepares schematic designs: drawings and documents illustrating scale and relationship of project components. The design also provides preliminary estimate of construction costs.

3. Design Development: The architect prepares documents defining the size and character of the project as to architectural, structural, mechanical and electrical systems, materials, and security systems appropriate to the project. The construction cost is further defined.

4. Construction Documents: The architect prepares final drawings and specifications that detail all requirements for the construction of the project. When specifying special systems, such as security, the architect relies on technical data supplied by the county or manufacturers.

5. Preliminary Budget: Make decisions for all stages of facility development such as design, construction, purchase of equipment, facility activation, and staffing.

6. Energy Usage and Cost: The project coordinator should coordinate an energy-consumption analysis of the proposed facility's heating, ventilating, and air-conditioning system (HVAC), lighting system, and all energy-consuming systems.

7. Facility Activation Plan and Schedule: Develop an activation plan that includes policies and procedures, personnel selection timelines, a staff training plan; and plans for opening, shakedown and move-in phases. The activation plan should also include written scenarios (a sequencing of tasks for all facility functions) and post orders defining the tasks for each staffing post.

The facility development phase will conclude with decisions on the most appropriate construction approach to be utilized, as well as the most practical source for funding.

Construction Scenarios

Construction scenarios to be considered include the traditional concept, the design/build concept, fast-track concept, and the site adapt concept.

- The traditional approach calls for an architect to draw up plans and specifications, and the County to solicit bids and select the most appropriate bidder.

- The design/build approach calls for a contractor and a second architect to team up to design and construct the facility to meet the county's requirements following their selection based on a lump sum bid.

- The fast track approach is a procedure for acceleration of the building schedule by starting construction at the earliest possible moment, overlapping the design phase. Building phases are sequenced to complete construction of each stage in the order that the building(s) will be occupied.

- The site/adapt approach attempts to take advantage of another community's success in constructing new correctional facilities. Briefly, this approach requires only that the County identify a facility already in operation that meets King County's requirements including facility operations, staffing plans, type of inmate supervision,

prisoner status group served, and size of facility. Once such a facility/program is located, the plans (and perhaps the contractor) are utilized for King County's project.

Funding Options:

The oversight committee, with assistance from OFM, Council, and DAD staff, will review all funding options; perform analysis of each option's impact on the County's financial status; and make recommendations/decisions. Following are potential sources of funding for a new facility that merit consideration:

- Federal government
- State government
- Countywide voter-approved bond issue
- Lease/purchase

Phase V: Site Selection

Consistent with "the full universe of options" approach, the Executive included a proposed site selection process in the 1988 scope of work, in the event the County concluded additional correctional space was necessary. The proposed site selection process was proposed as noted below:

1. Site selection criteria is developed by the Oversight Committee (adopted by motion);
2. A 5-7 member Citizen's Advisory Committee (CAC) is appointed with a narrowly defined scope (adopted by motion);
3. The CAC holds public hearings on selection criteria;
4. Staff develop site alternatives;
5. Based on community input, CAC recommends up to five candidates;
6. Oversight committee reviews;
7. The CAC holds public hearings to advise community of top five candidates, develops additional community input;
8. Oversight committee makes final site decision; recommendation to Executive and Council (adopted by motion);
9. Site selected;
10. Recommended site forwarded to King County Department of Building and Land Development for public hearings re: unclassified use permit; Title 21, King County Zoning Code (Code 21.44.02ob).

The development of siting criteria is now proposed to be a part of the Facilities Master Plan (FMP) process. This siting criteria and examination of potential facility and program solutions for the expected population will all be subject to a two phase environmental review process. A specific schedule for public involvement in these processes will be developed and published. Work on the FMP will implemented after an Operational Master Plan is approved.

In addition, a Draft Scope of Work for the Citizen's Advisory Committee was also included in the 1988 Correctional Space Planning Process Scope of Work and is noted below:

Draft Scope of Work
Citizen's Advisory Committee
Site Selection

The site selection and planning process entails the following steps:

- Defining site needs and objectives.
- Identifying potential sites.
- Gathering information and analyzing each site.
- Evaluating the sites and selecting one of them.
- Acquiring the selected site (if not already County owned).
- Preparing an environmental impact statement.
- Preparing a site master plan.

Site Criteria: (Examples of criteria and/or issues to be considered)

- Site should be centrally located.
- Site should be relatively level for ease of development.
- Site should be close to other appropriate County agencies/programs.
- Site selection should also be based on the following: character of the neighborhood, zoning restrictions, "buildable area" (space for required building and outdoor activity space and service space, including allowances for future expansion); soil conditions; utilities; exposure and orientation of the site; and the ecology of the site.

- Acquisition issues include:

  1) Can the property be obtained through negotiation or condemnation?
  2) What are the costs to acquire, develop, and operate at the site (i.e., transport costs for inmates)?
  3) How much is required to acquire and develop the property?

The selection of a site is also affected by factors concerning its future use including:

- Anticipated future expansion.
- Potential requirements for other facilities (in addition to the correctional facility).
- Likelihood of removing facilities currently on the site.
- Potential for future reduction in operations or space needs of planned or existing facilities.

SECTION VI

ALTERNATIVE CROWDING PROBLEM SOLUTIONS

PURPOSE:

The purpose of this section is to outline alternatives King County has considered as potential and/or partial solutions to the crowding problem. The section is divided into two parts; 1) short term (1990-1993) and 2) long term detention space needs (1993-2000). Many of the alternatives noted below are onerous in that they each represent a very significant departure from the dictates of sound financial management, public safety, and/or the integrity of the criminal justice system. The fact that each of these options has seriously been considered, as well as the fact that most practical interventions have already been implemented, helps demonstrate the seriousness of the crowding problem.

SHORT TERM ALTERNATIVE SOLUTIONS:

The alternatives listed below may be considered as options to manage the population in the short term or at least until 1993. Each option is summarized with brief comments or observations relative to their probable effectiveness.

1. Continual Crowding: The "Status quo" option would allow the crowding to continue and exceed the levels outlined in the 1988 population management plan (Appendix 18). This option threatens the Department's ability to operate the facility in a manner consistent with standards, and would potentially violate the Federal Courts stipulated agreement associated with specific population levels within the correctional facility.

2. Restrict bookings: Several Counties throughout Washington State have adopted policies that authorize the Sheriff or Jail Commander to restrict bookings. Lewis County has a "Priority Booking Status" program where they advise law enforcement agencies of the crowding problem and which specific offenses will not be accepted.

   Mason and Okanogan Counties routinely advise law enforcement agencies that "Lids on Bookings" have been imposed due to crowding and they will only accept prisoners arrested or charged with felonies, DWI, warrants and violent misdemeanors. This is similar to Pierce and Snohomish Counties who often restrict most misdemeanor bookings.

   After briefings on this option, the King County Police Chiefs Association, Jail Advisory Committee (Representing Suburban Cities) and the Jail Committee Work Group strongly recommended against King County adopting this course of action. These groups argued that booking prisoners often is the only way to positively identify prisoners and to assure that prisoners wanted on more serious charges are not

inadvertently released. These groups found this option even more unpalatable than early releases.

3. Release Prisoners Early: Benton County's Jail Administrator is authorized to release persons convicted of select misdemeanor offenses. Pursuant to Council adopted standards, the Department of Adult detention included this option in the emergency population reduction plan section of the 1988 population management plan. (Appendix 18).

   The ability to implement an early release program that would target non-violent offenders who would not threaten public safety may be compromised by the fact that King County has already implemented aggressive programs and policies associated with personal recognizance releases, credit card bail, work release, electronic home detection, intensive supervised release, the mentally ill diversion project, the North Rehabilitation Facility, and the Alcohol Detox center.

   The benefits of an early release program in King County are further limited because the crowding problem has been restricted to the KCCF tower 24-hour residential population. This population is primarily medium security prisoners charged with or convicted of felonies.

   The plethora of jail diversion programs and the current prisoner profile in the crowded tower, suggest that implementation of an early release program could seriously threaten public safety and certainly would compromise the integrity of the criminal justice system. Nonetheless, an early release or population lid management program has been considered. (Appendix 19).

4. Contract for Secure Beds: DAD recently sent a teletype to every police chief, sheriff and Jail administrator in the State of Washington regarding the availability of jail beds that King County could lease or rent from local area correctional facilities. The beds which could be made available on a temporary basis are listed below.

Facility	Beds
Clallam County	20
Enumclaw City	5
Ferry County	3
Jefferson County	10
Island County	15
Klickitat County	5
Total	58

Transportation, booking and per diem costs, coupled with the fact that most prisoners have multiple jail statuses and open charges requiring access to courts, attorneys and police, make this option a very cumbersome and an extremely cost inefficient alternative that would not substantially address

the projected crowding problem. However, when coupled with other options, it could be somewhat helpful in very short term emergency situations. It is important
to note that each jurisdiction consulted cautioned that their own population crowding problems could effectively require them to withdraw their offers.

DEVELOP NEW PROGRAM ALTERNATIVES

The Department continues to consider concepts for new programs intended to reduce or divert prisoners from secure detention beds. Several are noted below. The costs of each viable program option shall be computed and incorporated into the recommendations of the Facilities Master Plan (FMP) document.

1. County Parole: Several jurisdictions around the country have activated County Parole programs. These often are euphemisms for early release. They are simply a mechanism by which a convicted and incarcerated inmate may be released from jail before his/her sentence is complete.

   The King County District Courts currently operate a program called "Intensive Supervised Probation." Case managers review prisoners sentenced by the District Court to relatively long sentences who may be candidates for a suspended sentence. After careful screening, eligible prisoners are released from custody and the balance of their sentence is suspended on the condition they comply with the terms of their release/probation. This program is limited to misdemeanants and nearly all accepted prisoners are selected from NRF or the West Wing. Therefore, it generally does not address the crowding experienced in the tower.

   The Sentence Reform Act of 1984 effectively eliminated parole as an option for sentenced felons. Presentenced felons who are good risks for non-secure supervision are already screened out either by personal recognizance, bail, the felony administrative recognizance release option, or pretrial supervised release. Presentenced misdemeanants who are assessed as likely to appear for court and do not represent a threat of reoffending are also released on personal recognizance. Unless utilized to augment an early release program, the "County parole" concept promises little in the way of effectively reducing or addressing the crowding problem.

2. Community Mediation: This program attempts to divert prisoners from secure confinement prior to sentencing and sometimes even before arraignment by giving the offender an opportunity to "make amends" for the criminal activity instead of prescribing jail time or completing the court process. Some cases would be screened out at arraignment and referred to the program. Staff would interview both the victim and the offenders in order to set up a face to face meeting. At this face to face meeting the victim is allowed to say how the crime affected them and to express their feelings to the offender. The goal of the meeting

is to establish some mechanism or way of having the offender make restitution either directly to the victim or to the community in general. This agreement is written up and then supervised to completion by volunteers or staff. If the agreement is successfully completed, the jail sentence or supervision program is suspended.

Just as with county Parole, the "Community Mediation" concept would have minimal impact on the jail crowding problem, as most prisoners who would be eligible for such an opportunity would also likely be eligible for programs such as electronic home detention, intensive supervised probation, or work release.

3. Community/Work Service Programs: These programs provide judges with a sentencing option other than confinement. Prisoners are offered the opportunity to work off jail time by completing work assignments in the community such as litter control and parks and school grounds maintenance. King County administered such a program within the Department's Court Services section. However, the County Auditor recommended eliminating funding for the program based on the fact that it was not cost effective. The program failed to maintain a sufficiently high number of prisoners for the same reasons mentioned previously. Too often, programs are "competing" for the same type of prisoners, namely--low risk misdemeanants. The number of sentenced misdemeanants who would be eligible for these programs and are also going to be in custody for a significant amount of time, is not sufficient to support additional diversion programs such as these.

4. Treatment Alternatives for the Mentally Ill and Alcohol/Drug Abusers: DAD has considered the potential of targeting these populations for diversion from secure correctional beds, and has concluded that even if such programs were funded, the ADP impact would not offset to any significant degree the projected increases in the population. It is likely that the operating costs of these programs would also greatly exceed the marginal cost of detaining prisoners in jail to serve their sentences who might otherwise be eligible for release to a treatment facility or program.

   There are approximately 80 mentally ill prisoners assigned to the jail's psychiatric housing units. All have been sentenced or judged ineligible for pretrial release due to 1) lack of stability in the community and likelihood of failing to appear for court, and 2) likelihood of re-offending or 3) the nature of the charge holding them in custody (many of these prisoners are charged with serious felonies).

   The County operates a Mentally Ill Post Book Diversion Project for 80 clients. The project reportedly reduces the time an individual will spend in jail over a one year period by seventy percent. The long range value of the program rests not with its ability to cost effectively reduce the jail's population, but rather to its success in reducing the recidivist rate of chronically mentally ill offenders.

In the short run (5-10 years), programs designed to divert alcohol and drug abusers from secure correctional beds are likely to cost the same or more than corrections beds. The requirement to make the prisoners available for court coupled with the serious charges associated with most of these prisoners housed in the tower, suggests that any alternative housing for these offenders would have to have significant security staff and secure facility and program design. The economies of scale and the number of prisoners charged or convicted of felonies that could not be housed in a facility other than county correctional facilities, appears to suggest that institutional or outpatient programs for substance abusing offenders, (above what exists today), would not be practical, cost effective nor significantly reduce the current or projected crowding problem. When assessing the impact of new programs targeting substance abusing offenders, it is important to note that the King County Department of Human Services, Alcoholism Division, already provides an impressive array of services for these groups. A brief listing follows:

- The County's 208 bed facility at Cedar Hills provides in-patient alcohol and drug abuse treatment services. Of this total, 147 of these beds are contracted with the State for longer term in-patient treatment programs. Thirty-two beds are for intensive alcohol/drug treatment and 16 are for differential diagnosis.

- The North Rehabilitation Facility houses up to 236 prisoners who receive education and information on alcohol and drug abuse.

- The Washington Center Treatment facility houses the Detoxification Program which provides medically controlled withdrawal from alcohol and drugs on a 24 hour daily basis. In addition, the Assessment Center provides assessment for all State Alcohol and Drug Addiction Treatment and Support Act (ADATSA) clients. Services include screening, treatment placement, monitoring and follow-up of eligible clients.

- The ADATAR section programs and administers federal funds for substance abuse outreach, special projects and case management for chronic street people.

- The Alcohol and Drug Abuse Contract section contracts with community-based agencies to provide outpatient alcohol and drug abuse treatment services.

- The Treatment and Community Services section is responsible for handling the involuntary commitment process for alcohol and drug related cases.

5. Policy Changes: The King County prisoner population has grown at a faster rate than the County's general population, which serves to highlight the impact of public policy on jail populations. DAD acknowledges that major shifts or adjustments to existing key public

policies could reduce jail populations. However, the changes to public policy that likely would have significant ADP reduction potential, (50+) require legislative or judicial action. Two examples are misdemeanant sentencing standards and changes to the eligibility criteria for electronic home detention.

Misdemeanant sentencing standards that would restrict or minimize the length of sentences, could potentially reduce the prisoner population in an immediate and significant fashion. However decision makers are cautioned to acknowledge that the potential also exists for the standards to add to the population.

At this time, only the King County District Court grants administrative authority to DAD to assign misdemeanant prisoners to EHD. Municipal Court prisoners, most notably Seattle Municipal Court, require judicial approval, which is very labor intensive and time consuming.

Once again, these examples focus on minor or misdemeanor offenders who generally are not housed in the crowded tower facility. The success any new programs or policy changes may have in reducing the crowding or rate of prisoner population growth, must more aptly target medium security and felon populations.

DEVELOP TEMPORARY DETENTION SPACE

In recognition of the crowding problem and the implications associated with the prisoner population increases noted in the population forecast, King County has examined a full universe of options for developing temporary housing. A brief review and summary of the temporary detention space alternatives considered follows. The County considered space such as bootcamps, work camps, military barracks and land, the Public Safety Building, the Yesler Building, the King County Administration Building, barges and the King County Courthouse.

1. Bootcamps and workcamps: These programs are designed as "Shock Incarceration" type programs where offenders are offered substantial reductions in the length of confinement, if they subject themselves to the rigors of daily exercise, work details and institutional life similar to that experienced in Armed Forces Basic Training. They are generally sited in remote locations and generally require minimum stays of 90 days to six months to be effective.

   A preliminary assessment of the practicality of such programs for King County prisoners suggests only minimal value or benefit. Some of the most significant considerations and limitations to effective or full development of these shock incarceration programs include the following.

   - The majority of County prisoners are awaiting arraignments, trials or sentencing and require frequent attendance and transport to courts. The time and expense of transports suggest very remote sites would not be practical.

- Pretrial or unsentenced prisoners cannot lawfully be compelled to work. Currently, approximately 55% of all King County prisoners have presentence jail statuses. (Many prisoners who are sentenced on one charge also have one or more open charges awaiting adjudication).

- Successful bootcamp programs include one year of intense supervision following 90 day to six month stays. Ninety percent of prisoners booked into the King County Correctional Facility are released within 30 days. (80% within 10 days; 60% within 3 days). Research has determined that in order to effect a significant change in one's values and perspectives, there must be sufficient time allotted to "break down" old values before new ones can be impressed upon the subject. The average length of stay of King County prisoners and the need for supervision following release from custody, suggest that the economic and "rehabilitative" benefits associated with bootcamps and workcamps may not be practical within the King County Corrections system. Moreover, the NRF program already provides the community with a satellite (or remote) barracks style low cost detention facility.

2. Military Barracks/Land: DAD has examined the potential of utilizing facilities and/or the land of Federal Government properties including Sand Point, Fort Lawton and Fort Lewis. These options promise little or no potential for King County Correctional operations due to the significant drawbacks noted below.

   Sand Point: The barracks are in use year round for reserve training and are not available for rent, lease or sale. The thirty-two bed brig has no room available and Federal law prohibits the confinement of civilians in military correctional facilities.

   Fort Lawton: The only unused buildings on the site are three sets of World War II wood structures which were converted and currently used by the reserves for storage. The City of Seattle has evaluated the structures and have concluded that they are unfit for housing. The Department of Defense has indicated they would oppose use of this space for any kind of housing (homeless or prisoners) as it would compromise military operations.

   Fort Lewis: Fort Lewis officials have been contacted and report that they would be unalterably opposed to the concept of a temporary or long term King County Jail on Fort Lewis land for two reasons:

   a) The Fort has a strict restricted access policy; and

   b) All land is utilized for training and mock operations exercises.

   In fact, the Army is currently making efforts to expand their operations to a Yakima site due to space restrictions at Fort Lewis.

3. Downtown Seattle Buildings: DAD has examined the potential of adapting existing office space or old jail space in several Pioneer Square buildings including the Yesler Building, King County Administration Building, Public Safety Building and the King County Courthouse.

   Each facility's potential for adaptive re-use to correctional space was measured against several criteria, examples of which are outlined below:

   - Program Criteria: Identifying how known and required DAD program requirements impact the proposed project.

   - Physical Criteria: Identifying and evaluating the physical characteristics of the buildings which are directly interrelated with the proposed adaptive reuse.

   - Building Use Requirements: Identifying building features which will require modifications by the applicable building codes due to the change in occupancy group from office space (B-2) to a correctional facility (I-3).

   - Community Response: Identifying and assessing potential community and tenant concerns as they pertain to the best perceived/most suitable use of these buildings.

   - Cost Estimates/Financing: Identifying cost considerations and/or feasibility of lease proposals.

   - Time Estimates: Prognosis for development permit processing and other considerations that contribute to project schedule estimates and the ability to be activated prior to emergency population levels in the correctional facility.

   - Flexibility: The ability to expand operations or accommodate shifts in the population, and the ability to reuse the space.

   - Standards: Degree of compliance with Council adopted corrections standards. (Former Corrections Standards Board standards).

   - In addition, the County also examined expansion of Fircrest and the development of satellite barracks-styles housing.

Summary: Temporary Detention Space

King County has thoroughly examined a full universe of options for temporary detention space including proposals for bootcamps, use of military facilities and/or land, existing downtown buildings, Fircrest and temporary modular housing.

When all factors were considered, the jail oversight committee unanimously selected the portable housing option (option "A") as the most appropriate and preferred alternative available for additional temporary correctional capacity. For additional detail on these options and analyses, please reference the attached reports: Feasibility study of the proposed adaptive re-use of the Yesler and King County Administration Buildings (Appendix 20) and the recommendation for phase I Interim Housing (Appendix 21)

LONG TERM/FUTURE DETENTION SPACE NEEDS

As called for in the scope of work for planning new correctional space, King County commissioned a study for the purpose of preparing a jail population forecast and a profile of prisoners that could objectively be used to help make decisions associated with facility design, siting and jail related programs.

The methodology used for the population forecast is referred to as the "components of change" forecasting methodology which takes into account the independent influence of the many variables that impact jail population including: demographic patterns, crime patterns, booking rates and length of stay patterns for six separate jail statuses. King County officials developed over two dozen assumptions associated with the different components of change, which were then factored into the forecast model.

The jail oversight committee reviewed the "King County Jail Population Forecast 1989-2010" report by Jack O'Connell, and developed a planning range for new correctional space. If the assumptions in O'Connell's report and by the Oversight Committee hold, King County must plan on accommodating between 1274 and 1745 additional prisoners by the year 2010.

As noted earlier, King County Executive Tim Hill has submitted a motion (Appendix 16) to the Council recommending that King County embark on a two phase construction approach that would provide the community with an additional 1310 beds by the year 2000, and 1745 by 2010. The Executive's assessment is based upon the following assumptions:

- New facility capacity must be sufficient to accommodate peak populations
- New capacity requirements must be based on the rated capacity of existing facilities (1623).
- The public policy impact on the jail population beyond the "assumption rich years" will correlate to an incarceration rate of 17.6 per 10,000.
- That there will be a loss of 70 existing municipal jail beds.
- That the facility must have at least 25 "vacancy or flexibility beds" to accommodate peaks or shifts in the mix of the prisoner population.

Additional information on the projected prisoner population is outlined in the population forecast 1989-2010 (Appendix 17), the attached King County Correctional Facility "planned beds" worksheet (appendix 16) and Executive Hill's motion and transmittal letter of March 30, 1990 (Appendix 16).

DAD plans to examine the potential distribution of the jail population into various classification levels and subsequent assignment to specific housing or program space, as part of the analysis associated with a Facilities Master Plan. The Facility Master Plan (FMP) is scheduled to be submitted to the Council in December 1990.

SECTION VII

CONCLUSIONS/RECOMMENDATIONS

PURPOSE:

The purpose of this section is to summarize the key findings and results of the studies and analyses King County has completed regarding the crowding problem experienced in the King County Correctional Facility. Recommendations for further action specific to these conclusions are also noted.

CONCLUSIONS

1. The King County Correctional Facility has experienced a serious crowding problem, with populations exceeding the design and rated capacities since the facility's activation in 1986.

2. The population is projected to increase, with total system populations forecasted to range from 2882 to 3353 by 2010.

3. The forecasted population levels will exceed the available correctional capacity.

4. The forecasted prisoner population will increasingly be comprised of violent, serious property and drug related offenders.

5. The projected increases in violent, serious property, and drug related offenders suggests that non-incarceration programs alone will be insufficient to accommodate the number and mix of future prisoner populations.

6. There will be a deficit between existing secure and program capacities, and the number of prisoners presented for incarceration, prior to activation of any permanent long term correctional facility(s).

Recommendations

It is recommended that the King County Council approve the Operational Master Plan and proceed immediately to:

- Authorize the Executive's Scope of Work and Budget for preparation of a Facilities Master Plan and two phase EIS. This will help decide; 1) what the options are for providing permanent jail capacity, 2) the types of facilities required, and 3) criteria recommended to be used for potential site selection.

- Review and approve the final planning work schedule.

REFERENCE LIST

The Department has reviewed many articles and monographs associated with jail population management strategies. They were utilized in may ways including developing committee work plans, scoping data analysis activities, and planning and assessing the feasibility of specific programs or non-incarceration alternatives. A listing of a few of the more interesting reference materials follows:

1. Alleviating Jail Crowding: A System Perspective. Andy Hall, et al., Pretrial Services Resource Center, Washington, DC, 1985 (NCJRS - 099462).

2. The Implementation of Effective Case Processing for Crowded Jails: A Manual for Prosecutors. Jolanta J. Perlstein and D. Alan Henry, Pretrial Services Resource Center, Washington, DC, 1986 (NCJRS - 099464).

3. Dealing Effectively with Crowded Jails: A Manual for Judges. Jolanta J. Perlstein and D. Alan Henry, Pretrial Services Resource Center, Washington, DC, 1986 (NCJRS - 099463).

4. Jail Overcrowding: Identifying Causes and Planning for Solutions. Walter H. Busher, American Justice Institute, Sacramento, CA, 1983 (NCJRS - 088340).

5. Jail Overcrowding: Guide to Data Collection and Analysis. Jerome R. Bush, American Justice Institute, Sacramento, CA, 1982 (NCJRS - 087509).

6. Pretrial Release Program Options. Andy Hall, et al., Pretrial Services Resource Center, Washington, DC, 1984 (NCJRS - 094612).

7. Jail Overcrowding: Alternatives to Pretrial Detention. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Washington, DC, 1985 (NCJRS - 098251).

8. Jail Population Checklist: An Assessment Survey. National Institute of Corrections, Jail Center, Boulder, CO, 1984 (NIC Jail Center, 1790 30th Street, Suite 440, Boulder, CO 80301).

9. Effectiveness of Supervised Pretrial Release. James Austin, et al., National Council on Crime and Delinquency, 1985 (NCJRS - 099750).

10. Alternatives to Prosecution: A review of Recent Research Findings. Donald E. Pryor and Walter F. Smith, Pretrial Services Resource Center, 918 F Street, N.W., Washington, DC 20004, 1983.

11. Ceilings, Lids, Limits, and Caps. M.M. Bell, National Institute of Justice, Washington, DC 1981 (NCJRS - 082460).

12. The Dilemma of Diversion -- Resource Materials on Adult Pretrial Intervention Programs. Joan Mullen, National Institute of Justice, 633 Indiana Avenue, N.W., Washington, DC, 20004, 1983.

13. An Assessment of Recent Strategies Employed at Cook County Jail to Relieve Overcrowding. Mark Myrent, Illinois Criminal Justice Information Authority, 1989.

14. State of California Jail Overcrowding Management Handbook. Evaluation, Management, and Training Associates, Inc., 1988, 2100 Northrop Avenue, Suite 800, Sacramento, CA 95825.

15. Population Management System: Studies to Examine Jail Overcrowding, 1989. San Diego Association of Governments Criminal Justice Research Unit; Security Pacific Plaza, Suite 524, 1200 Third Avenue, San Diego, CA 92101.

16. The Governor's Statewide Conference on Jail Crowding - November 30, 1988 Report to Governor Booth Gardner. Department of Corrections, P.O. Box 9699, MS:FN-61, Olympia, WA 98504.

of basic health care services covered by the plan. The administrator and the department of social and health services shall cooperatively adopt procedures to facilitate the transition of plan enrollees and payments on their behalf between the plan and the programs established under chapter 74.09 RCW. [1987 1st ex.s. c 5 § 13.]

Sunset Act application: See note following chapter digest.

70.47.120 Administrator——Contracts for services. In addition to the powers and duties specified in RCW 70.47.040 and 70.47.060, the administrator has the power to enter into contracts for the following functions and services:

(1) With public or private agencies, to assist the administrator in her or his duties to design or revise the schedule of covered basic health care services, and/or to monitor or evaluate the performance of participating managed health care systems.

(2) With public or private agencies, to provide technical or professional assistance to health care providers, particularly public or private nonprofit organizations and providers serving rural areas, who show serious intent and apparent capability to participate in the plan as managed health care systems.

(3) With public or private agencies, including health care service contractors registered under RCW 48.44.015, and doing business in the state, for marketing and administrative services in connection with participation of managed health care systems, enrollment of enrollees, billing and collection services to the administrator, and other administrative functions ordinarily performed by health care service contractors, other than insurance. Any activities of a health care service contractor pursuant to a contract with the administrator under this section shall be exempt from the provisions and requirements of Title 48 RCW. [1987 1st ex.s. c 5 § 14.]

Sunset Act application: See note following chapter digest.

70.47.130 Exemption from insurance code. The activities and operations of the Washington basic health plan under this chapter, including those of managed health care systems to the extent of their participation in the plan, are exempt from the provisions and requirements of Title 48 RCW, except as provided in RCW 70.47.070. [1987 1st ex.s. c 5 § 15.]

Sunset Act application: See note following chapter digest.

70.47.140 Reservation of legislative power. The legislature reserves the right to amend or repeal all or any part of this chapter at any time and there shall be no vested private right of any kind against such amendment or repeal. All the rights, privileges, or immunities conferred by this chapter or any acts done pursuant thereto shall exist subject to the power of the legislature to amend or repeal this chapter at any time. [1987 1st ex.s. c 5 § 2.]

Sunset Act application: See note following chapter digest.

70.47.900 Short title. This chapter shall be known and may be cited as the health care access act of 1987. [1987 1st ex.s. c 5 § 1.]

Sunset Act application: See note following chapter digest.

70.47.901 Severability——1987 1st ex.s. c 5. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [1987 1st ex.s. c 5 § 26.]

Chapter 70.48

CITY AND COUNTY JAILS ACT

Sections

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70.48.460 Contracts for incarceration services for prisoners not covered by RCW 70.48.400 through 70.48.450.

70.48.020 Definitions. As used in this chapter the words and phrases in this section shall have the meanings indicated unless the context clearly requires otherwise.

(1) "Holding facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(2) "Detention facility" means a facility operated by a governing unit primarily designed, staffed, and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(3) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed, and used for the housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Jail" means any holding, detention, special detention, or correctional facility as defined in this section.

(6) "Health care" means preventive, diagnostic, and rehabilitative services provided by licensed health care professionals and/or facilities; such care to include providing prescription drugs where indicated.

(7) "Governing unit" means the city and/or county or any combinations of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(8) "Major urban" means a county or combination of counties which has a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(9) "Medium urban" means a county or combination of counties which has a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(10) "Rural" means a county or combination of counties which has a city having a population less than ten thousand based on the 1978 projections of the office of financial management.

(11) "Office" means the office of financial management. [1987 c 462 § 6; 1986 c 118 § 1; 1983 c 165 § 34; 1981 c 136 § 25; 1979 ex.s. c 232 § 11; 1977 ex.s. c 316 § 2.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

Legislative finding, intent——Effective dates——Severability——1983 c 165: See notes following RCW 46.20.308.

Effective date——1981 c 136: See RCW 72.09.900.

Severability——1977 ex.s. c 316: "If any provision of this 19 amendatory act, or its application to any person or circumstance held invalid, the remainder of the act, or the application of the pro sion to other persons or circumstances is not affected." [1977 ex.s 316 § 26.] For codification of 1977 ex.s. c 316, see Codificati Tables, Volume 0.

70.48.060 Capital construction——Financial assis ance——Rules——Oversight——Cost estimates.

Reviser's note: RCW 70.48.060 was both amended and repeal during the 1987 legislative session, each without reference to the othe It has been decodified for publication purposes pursuant to RC 1.12.025.

Severability——1977 ex.s. c 316: See note following RC 70.48.020.

70.48.061 Jail construction and remodeling fundin program——Continuation——Expiration of section. Th office of financial management shall complete the ja construction and remodeling funding program previousl administered by the corrections standards board. Th office shall use and may modify the physical plant star dards adopted by the board. This section shall expire o July 1, 1990. [1987 c 462 § 16.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

70.48.071 Standards for operation——Adoption b units of local government. All units of local governmen that own or operate adult correctional facilities shall, in dividually or collectively, adopt standards for the opera tion of those facilities no later than January 1, 1988 Cities and towns shall adopt the standards after consid ering guidelines established collectively by the cities an towns of the state; counties shall adopt the standards af ter considering guidelines established collectively by th counties of the state. These standards shall be the mini mums necessary to meet federal and state constitutiona requirements relating to health, safety, and welfare o inmates and staff, and specific state and federal statu tory requirements, and to provide for the public's health safety, and welfare. Local correctional facilities shall b operated in accordance with these standards. [1987 c 462 § 17.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

70.48.090 Interlocal contracts for jail services—— Responsibility for operation of jail——Departments o corrections authorized. (1) Contracts for jail services may be made between a county and city located within the boundaries of a county, and among counties. The contracts shall: Be in writing, give one governing unit the responsibility for the operation of the jails, specify the responsibilities of each governing unit involved, and include the applicable charges for custody of the prisoners as well as the basis for adjustments in the charges. The contracts may be terminated only by ninety days written notice to the governing units involved and to the office. The notice shall state the grounds for termination and the specific plans for accommodating the affected jail population.

(2) The contract authorized in subsection (1) of this section shall be for a minimum term of ten years when state funds are provided to construct or remodel a jail in one governing unit that will be used to house prisoners of other governing units. The contract may not be terminated prior to the end of the term without the office's approval. If the contract is terminated, or upon the expiration and nonrenewal of the contract, the governing unit whose jail facility was built or remodeled to hold the prisoners of other governing units shall pay to the state treasurer the amount set by the corrections standards board or office when it authorized disbursal of state funds for the remodeling or construction under RCW 70.48.120. This amount shall be deposited in the local jail improvement and construction account and shall fairly represent the construction costs incurred in order to house prisoners from other governing units. The office may pay the funds to the governing units which had previously contracted for jail services under rules which the office may adopt. The acceptance of state funds for constructing or remodeling consolidated jail facilities constitutes agreement to the proportionate amounts set by the office. Notice of the proportionate amounts shall be given to all governing units involved.

(3) A city or county primarily responsible for the operation of a jail or jails may create a department of corrections to be in charge of such jail and of all persons confined therein by law, subject to the authority of the governing unit. If such department is created, it shall have charge of jails and persons confined therein. If no such department of corrections is created, the chief law enforcement officer of the city or county primarily responsible for the operation of said jail shall have charge of the jail and of all persons confined therein. [1987 c 462 § 7; 1986 c 118 § 6; 1979 ex.s. c 232 § 15; 1977 ex.s. c 316 § 9.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.100 Jail register——Required——Contents——Confidentiality of records. (1) A department of corrections or chief law enforcement officer responsible for the operation of a jail shall maintain a jail register, open to the public, into which shall be entered in a timely basis:

(a) The name of each person confined in the jail with the hour, date and cause of the confinement; and

(b) The hour, date and manner of each person's discharge.

(2) The records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies as defined in RCW 43.43.705; or

(a) For use in inspections made pursuant to *RCW 70.48.070;

(b) In jail certification proceedings;

(c) For use in court proceedings upon the written order of the court in which the proceedings are conducted; or

(d) Upon the written permission of the person. [1977 ex.s. c 316 § 10.]

*Reviser's note: RCW 70.48.070 was repealed by 1987 c 462 § 23, effective January 1, 1988.

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.120 Local jail improvement and construction account. There is hereby established in the state treasury a fund to be known as the local jail improvement and construction account in which shall be deposited such sums as are appropriated by law for the purpose of providing funds to units of local government for new construction and the substantial remodeling of detention and correctional facilities so as to obtain compliance with the physical plant standards for such facilities. Funds in the local jail improvement and construction account shall be invested in the same manner as other funds in other accounts within the state treasury, and such earnings shall accrue to the local jail improvement and construction account. Funds shall be remitted to the governing units in a reasonably timely fashion to meet their contractual obligations. Funds in this account shall be disbursed by the state treasurer to units of local government, subject to biennial legislative appropriation, at the direction of the office. [1987 c 462 § 8; 1986 c 118 § 8; 1981 c 276 § 2; 1977 ex.s. c 316 § 12.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.130 Emergency or necessary health care for confined persons——Reimbursement procedures——Conditions——Limitations. Payment for emergency or necessary health care shall be by the governing unit, except that the department of social and health services shall reimburse the governing unit for the cost thereof if the confined person requires treatment for which such person is eligible under the department of social and health services' public assistance medical program.

The governing unit may obtain reimbursement from the confined person for the cost of emergency and other health care to the extent that such person is reasonably able to pay for such care, including reimbursement from any insurance program or from other medical benefit programs available to such person. To the extent that a confined person is unable to be financially responsible for medical care and is ineligible for financial assistance from the department or from a private source, the governing unit may obtain reimbursement for the cost of such services from the unit of government whose law enforcement officers initiated the charges on which the person is being held in the jail: *Provided*, That reimbursement for the cost of such services shall be by the state for state prisoners being held in a jail who are accused of either escaping from a state facility or of committing an offense in a state facility.

There shall be no right of reimbursement to the governing unit from units of government whose law enforcement officers initiated the charges for which a person is being held in the jail for care provided after

the charges are disposed of by sentencing or otherwise, unless by intergovernmental agreement pursuant to chapter 39.34 RCW.

This section is not intended to limit or change any existing right of any party, governing unit, or unit of government against the person receiving the care for the cost of the care provided or paid for.

Under no circumstance shall necessary medical services be denied or delayed pending a determination of financial responsibility. [1986 c 118 § 9; 1977 ex.s. c 316 § 13.]

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.140 Confinement pursuant to authority of the United States. A person having charge of a jail shall receive and keep in such jail, when room is available, all persons confined or committed thereto by process or order issued under authority of the United States until discharged according to law, the same as if such persons had been committed under process issued under authority of the state, if provision is made by the United States for the support of such persons confined, and for any additional personnel required. [1977 ex.s. c 316 § 14.]

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.160 Post-approval limitation on funding. Having received approval pursuant to *RCW 70.48.060, a governing unit shall not be eligible for further funding for physical plant standards for a period of ten years from the date of the completion of the approved project. A jail shall not be closed for noncompliance to physical plant standards within this same ten year period. This section does not apply if:

(1) The state elects to fund phased components of a jail project for which a governing unit has applied. In that instance, initially funded components do not constitute full funding within the meaning of *RCW 70.48.060(1) and **70.48.070(2) and the state may fund subsequent phases of the jail project;

(2) There is destruction of the facility because of an act of God or the result of a negligent and/or criminal act. [1987 c 462 § 9; 1986 c 118 § 10; 1981 c 276 § 3; 1977 ex.s. c 316 § 16.]

Reviser's note: *(1) RCW 70.48.060 was repealed by 1987 c 462 § 23, effective January 1, 1988.

**(2) RCW 70.48.070 was repealed by 1987 c 462 § 23, effective January 1, 1988.

Effective dates——1987 c 462: See note following RCW 13.04.116.

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.170 Short title. This chapter shall be known and may be cited as the City and County Jails Act. [1977 ex.s. c 316 § 17.]

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.180 Authority to locate and operate jail facilities——Counties. Counties may acquire, build, operate, and maintain holding, detention, special detention, and correctional facilities as defined in RCW 70.48.020 at any place designated by the county legislative authority within the territorial limits of the county. The facilities shall comply with chapter 70.48 RCW and the rules adopted thereunder. [1983 c 165 § 37; 1979 ex.s. c 232 § 16.]

Legislative finding, intent——Effective dates——Severability——1983 c 165: See notes following RCW 46.20.308.

70.48.190 Authority to locate and operate jail facilities——Cities and towns. Cities and towns may acquire, build, operate, and maintain holding, detention, special detention, and correctional facilities as defined in RCW 70.48.020 at any place within the territorial limits of the county in which the city or town is situated, as may be selected by the legislative authority of the municipality. The facilities comply with the provisions of chapter 70.48 RCW and rules adopted thereunder. [1983 c 165 § 38; 1977 ex.s. c 316 § 19; 1965 c 7 § 35.21.330. Prior: 1917 c 103 § 1; RRS § 10204. Formerly RCW 35.21.330.]

Legislative finding, intent——Effective dates——Severability——1983 c 165: See notes following RCW 46.20.308.

Severability——1977 ex.s. c 316: See note following RCW 70.48.020.

70.48.210 Farms, camps, work release programs, and special detention facilities. (1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities, as well as special detention facilities. The facilities shall meet the requirements of chapter 70.48 RCW and any rules adopted thereunder.

(2) Farms and camps may be established either inside or outside the territorial limits of a city or county. A sentence of confinement in a city or county jail may include placement in a farm or camp. Unless directed otherwise by court order, the chief law enforcement officer or department of corrections, may transfer the prisoner to a farm or camp. The sentencing court, chief law enforcement officer, or department of corrections may not transfer to a farm or camp a greater number of prisoners than can be furnished with constructive employment and can be reasonably accommodated.

(3) The city or county may establish a city or county work release program and housing facilities for the prisoners in the program. In such regard, factors such as employment conditions and the condition of jail facilities should be considered. When a work release program is established the following provisions apply:

(a) A person convicted of a felony and placed in a city or county jail is eligible for the work release program. A person sentenced to a city or county jail is eligible for the work release program. The program may be used as a condition of probation for a criminal offense. Good conduct is a condition of participation in the program.

(b) The court may permit a person who is currently, regularly employed to continue his or her employment.

The chief law enforcement officer or department of corrections shall make all necessary arrangements if possible. The court may authorize the person to seek suitable employment and may authorize the chief law enforcement officer or department of corrections to make reasonable efforts to find suitable employment for the person. A person participating in the work release program may not work in an establishment where there is a labor dispute.

(c) The work release prisoner shall be confined in a work release facility or jail unless authorized to be absent from the facility for program-related purposes, unless the court directs otherwise.

(d) Each work release prisoner's earnings may be collected by the chief law enforcement officer or a designee. The chief law enforcement officer or a designee may deduct from the earnings moneys for the payments for the prisoner's board, personal expenses inside and outside the jail, a share of the administrative expenses of this section, court-ordered victim compensation, and court-ordered restitution. Support payments for the prisoner's dependents, if any, shall be made as directed by the court. With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. Any remaining balance shall be returned to the prisoner.

(e) With court approval the prisoner's sentence may be reduced by one-third if the prisoner's conduct, diligence, and general attitude merit the reduction.

(f) If the work release prisoner violates the conditions of custody or employment, the prisoner shall be returned to the sentencing court. The sentencing court may require the prisoner to spend the remainder of the sentence in actual confinement and may cancel any earned reduction of the sentence.

(4) A special detention facility may be operated by a noncorrectional agency or by noncorrectional personnel by contract with the governing unit. The employees shall meet the standards of training and education established by the criminal justice training commission as authorized by RCW 43.101.080. The special detention facility may use combinations of features including, but not limited to, low-security or honor prisoner status, work farm, work release, community review, prisoner facility maintenance and food preparation, training programs, or alcohol or drug rehabilitation programs. Special detention facilities may establish a reasonable fee schedule to cover the cost of facility housing and programs. The schedule shall be on a sliding basis that reflects the person's ability to pay. [1985 c 298 § 1; 1983 c 165 § 39; 1979 ex.s. c 232 § 17.]

Legislative finding, intent——Effective dates——Severability——1983 c 165: See notes following RCW 46.20.308.

70.48.220 Confinement may be wherever jail services are contracted. A person convicted of an offense punishable by imprisonment in a city or county jail may be confined in the jail of any city or county contracting with the prosecuting city or county for jail services. [1979 ex.s. c 232 § 19.]

70.48.230 Transportation and temporary confinement of prisoners. The jurisdiction having immediate authority over a prisoner is responsible for the transportation expenses. The transporting officer shall have custody of the prisoner within any Washington county while being transported. Any jail within the state may be used for the temporary confinement of the prisoner with the only charge being for the reasonable cost of board. [1979 ex.s. c 232 § 18.]

70.48.240 Transfer of felons from jail to state institution——Time limit. A person imprisoned in a jail and sentenced to a state institution for a felony conviction shall be transferred to a state institution before the forty-first day from the date of sentencing.

This section does not apply to persons sentenced for a felony who are held in the facility as a condition of probation or who are specifically sentenced to confinement in the facility.

Payment for persons sentenced to state institutions and remaining in a jail from the eighth through the fortieth days following sentencing shall be in accordance with the procedure prescribed under this chapter. [1984 c 235 § 8; 1979 ex.s. c 232 § 20.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.270 Disposition of proceeds from sale of bonds. The proceeds from the sale of bonds authorized by this chapter shall be deposited in the local jail improvement and construction account hereby created in the general fund and shall be used exclusively for the purpose specified in this chapter and for payment of the expenses incurred in the issuance and sale of the bonds. [1979 ex.s. c 232 § 3.]

70.48.280 Proceeds of bond sale——Deposits——Administration. The proceeds from the sale of the bonds deposited in the local jail improvement and construction account of the general fund under the terms of this chapter shall be administered by the office subject to legislative appropriation. [1987 c 462 § 10; 1986 c 118 § 13; 1979 ex.s. c 232 § 4.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

70.48.310 Jail renovation bond retirement fund. The jail renovation bond retirement fund is hereby created in the state treasury. This fund shall be used for the payment of interest on and retirement of the bonds and notes authorized by this chapter. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the jail renovation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date. The owner and holder of each of the bonds or the trustee for any of the bonds may by

mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section.

If a state general obligation bond retirement fund is created in the state treasury by chapter 230, Laws of 1979 ex. sess., and becomes effective by statute prior to the issuance of any of the bonds authorized by this chapter, the retirement fund shall be used for purposes of this chapter in lieu of the jail renovation bond retirement fund, and the jail renovation bond retirement fund shall cease to exist. [1979 ex.s. c 232 § 7.]

70.48.320 Bonds legal investments for public funds. The bonds authorized in this chapter shall be a legal investment for all state funds or for funds under state control and for all funds of any other public body. [1979 ex.s. c 232 § 8.]

70.48.380 Special detention facilities——Fees for cost of housing. The legislative authority of a county or city that establishes a special detention facility as defined in RCW 70.48.020 for persons convicted of violating RCW 46.61.502 or 46.61.504 may establish a reasonable fee schedule to cover the cost of housing in the facility. The schedule shall be on a sliding basis that reflects the person's ability to pay. [1983 c 165 § 36.]

Legislative finding, intent——Effective dates——Severability——1983 c 165: See notes following RCW 46.20.308.

70.48.400 Sentences to be served in state institutions——When——Sentences that may be served in jail——Financial responsibility of city or county. Persons sentenced to felony terms or a combination of terms of more than three hundred sixty-five days of incarceration shall be committed to state institutions under the authority of the department of corrections. Persons serving sentences of three hundred sixty-five consecutive days or less may be sentenced to a jail as defined in RCW 70.48.020. All persons convicted of felonies or misdemeanors and sentenced to jail shall be the financial responsibility of the city or county. [1987 c 462 § 11; 1984 c 235 § 1.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

Effective dates——1984 c 235: "Section 5 of this act [RCW 70.48.440] is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately [March 27, 1984]. The remainder of this act shall take effect July 1, 1984." [1984 c 235 § 10.]

70.48.410 Financial responsibility for convicted felons. Persons convicted of a felony as defined by chapter 9A.20 RCW and committed to the care and custody of the department of corrections shall be the financial responsibility of the department of corrections not later than the eighth day, excluding weekends and holidays, following sentencing for the felony and notification that the prisoner is available for movement to a state correctional institution. However, if good cause is shown, a superior court judge may order the prisoner detained in the jail beyond the eight-day period for an additional period not to exceed ten days. If a superior court orders a convicted felon to be detained beyond the eighth day following sentencing, the county or city shall retain financial responsibility for that ten-day period or portion thereof ordered by the court. [1984 c 235 § 2.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.420 Financial responsibility for persons detained on parole hold. A person detained in jail solely by reason of a parole hold is the financial responsibility of the city or the county detaining the person until the sixteenth day, at which time the person shall become the financial responsibility of the department of corrections. Persons who are detained in a jail on a parole hold and for whom the prosecutor has filed a felony charge remain the responsibility of the city or county. [1984 c 235 § 3.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.430 Financial responsibility for work release inmates detained in jail. Inmates, as defined by RCW 72.09.020, who reside in a work release facility and who are detained in a city or county jail are the financial responsibility of the department of corrections. [1984 c 235 § 4.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.440 Office of financial management to establish reimbursement rate for cities and counties——Rate until June 30, 1985——Re-establishment of rates. The office of financial management shall establish a uniform equitable rate for reimbursing cities and counties for the care of sentenced felons who are the financial responsibility of the department of corrections and are detained or incarcerated in a city or county jail.

Until June 30, 1985, the rate for the care of sentenced felons who are the financial responsibility of the department of corrections shall be ten dollars per day. Cost of extraordinary emergency medical care incurred by prisoners who are the financial responsibility of the department of corrections under this chapter shall be reimbursed. The department of corrections shall be advised as far in advance as practicable by competent medical authority of the nature and course of treatment required to ensure the most efficient use of state resources to address the medical needs of the offender. In the event emergency medical care is needed, the department of corrections shall be advised as soon as practicable after the offender is treated.

Prior to June 30, 1985, the office of financial management shall meet with the corrections standards board to establish criteria to determine equitable rates regarding variable costs for sentenced felons who are the financial responsibility of the department of corrections after June 30, 1985. The office of financial management shall re-establish these rates each even-numbered year beginning in 1986. [1984 c 235 § 5.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.450 Local jail reporting form——Information to be provided by city or county requesting payment for prisoners from state. The department of corrections is

responsible for developing a reporting form for the local jails. The form shall require sufficient information to identify the person, type of state responsibility, method of notification for availability for movement, and the number of days for which the state is financially responsible. The information shall be provided by the city or county requesting payment for prisoners who are the financial responsibility of the department of corrections. [1984 c 235 § 6.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

70.48.460 Contracts for incarceration services for prisoners not covered by RCW 70.48.400 through 70.48-.450. Nothing in RCW 70.48.400 through 70.48.450 precludes the establishment of mutually agreeable contracts between the department of corrections and counties for incarceration services of prisoners not covered by RCW 70.48.400 through 70.48.450. [1984 c 235 § 7.]

Effective dates——1984 c 235: See note following RCW 70.48.400.

Chapter 70.48A
JAIL IMPROVEMENT AND CONSTRUCTION——BOND ISSUE

Sections

70.48A.010 Legislative declaration.
70.48A.020 Bond issue authorized——Appropriations.
70.48A.030 Proceeds from bond sale——Deposit; use.
70.48A.040 Proceeds from bond sale——Administration.
70.48A.050 Bonds——Minimum sale price.
70.48A.060 Bonds——State's full faith and credit pledged.
70.48A.070 Bonds——Payment of interest, retirement.
70.48A.080 Bonds legal investment for public funds.
70.48A.090 Legislative intent.
70.48A.900 Severability——1981 c 131.

70.48A.010 Legislative declaration. In order for the state to provide safe and humane detention and correctional facilities, its long range development goals must include the renovation of jail buildings and facilities. [1981 c 131 § 1.]

70.48A.020 Bond issue authorized——Appropriations. For the purpose of providing funds for the planning, acquisition, construction, and improvement of jail buildings and necessary supporting facilities within the state, and the office of financial management's operational costs related to the review of physical plant funding applications, award of grants, and construction monitoring, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred forty-four million three hundred thousand dollars, or so much thereof as may be required, to finance the improvements defined in RCW 70.48A.010 through 70.48A.080 and all costs incidental thereto, including administration, but not including acquisition or preparation of sites. Appropriations for administration shall be determined by the legislature. No bonds authorized by this section may be offered for sale without prior legislative appropriation of the proceeds of the bonds to be sold: *Provided*, That the reappropriation of previously authorized bond moneys and this new appropriation shall constitute full funding of each approved project within the meaning of *RCW 70.48.070 and 70.48.110. [1987 c 462 § 13; 1986 c 118 § 16; 1983 1st ex.s. c 63 § 1; 1981 c 131 § 2.]

*Reviser's note: RCW 70.48.070 and 70.48.110 were repealed by 1987 c 462 § 23, effective January 1, 1988.

Effective dates——1987 c 462: See note following RCW 13.04.116.

70.48A.030 Proceeds from bond sale——Deposit, use. The proceeds from the sale of bonds authorized by RCW 70.48A.010 through 70.48A.080 shall be deposited in the local jail improvement and construction account in the general fund and shall be used exclusively for the purpose specified in RCW 70.48A.010 through 70.48A.080 and for payment of the expenses incurred in the issuance and sale of the bonds. [1981 c 131 § 3.]

70.48A.040 Proceeds from bond sale——Administration. The proceeds from the sale of the bonds deposited in the local jail improvement and construction account in the general fund under the terms of RCW 70.48A.010 through 70.48A.080 shall be administered by the office of financial management subject to legislative appropriation. [1987 c 462 § 14; 1986 c 118 § 17; 1981 c 131 § 4.]

Effective dates——1987 c 462: See note following RCW 13.04.116.

70.48A.050 Bonds——Minimum sale price. None of the bonds authorized in RCW 70.48A.010 through 70-.48A.080 may be sold for less than their par value. [1981 c 131 § 5.]

70.48A.060 Bonds——State's full faith and credit pledged. The bonds shall pledge the full faith and credit of the state of Washington and shall contain an unconditional promise to pay the principal and interest when due. [1981 c 131 § 6.]

70.48A.070 Bonds——Payment of interest, retirement. The state general obligation bond retirement fund shall be used for the payment of interest on and retirement of the bonds authorized by RCW 70.48A.010 through 70.48A.080.

The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount required in the next succeeding twelve months for the payment of the principal of and the interest coming due on the bonds. Not less than thirty days prior to the date on which any interest or principal and interest payment is due, the state treasurer shall withdraw from any general state revenues received in the state treasury and deposit in the general obligation bond retirement fund an amount equal to the amount certified by the state finance committee to be due on the payment date.

The owner and holder of each of the bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require the transfer and payment of funds as directed in this section. [1981 c 131 § 7.]

70.48A.080 Bonds legal investment for public funds. The bonds authorized in RCW 70.48A.010 through 70-.48A.080 shall be a legal investment for all state funds or for funds under state control and for all funds of any other public body. [1981 c 131 § 8.]

70.48A.090 Legislative intent. It is the intent of the legislature that the construction and remodeling of jails proceed without further delay, and the jail commission's review and funding procedures are to reflect this intent. Neither the jail commission nor local governments should order or authorize capital expenditures to improve jails now in use which are scheduled for replacement. Capital expenditures which relate directly to life safety of inmates or jail personnel may be ordered. [1981 c 131 § 9.]

70.48A.900 Severability——1981 c 131. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected. [1981 c 131 § 11.]

Chapter 70.50
STATE OTOLOGIST

Sections

70.50.010 Appointment——Salary.
70.50.020 Duties.

Hearing tests for public school children: RCW 28A.31.030.

70.50.010 Appointment——Salary. The secretary of social and health services shall appoint and employ an otologist skilled in diagnosis of diseases of the ear and defects in hearing, especially for school children with an impaired sense of hearing, and shall fix the salary of such otologist in a sum not exceeding the salary of the secretary. [1979 c 141 § 108; 1945 c 23 § 1; Rem. Supp. 1945 § 6010-10.]

70.50.020 Duties. The otologist shall cooperate with the state department of public instruction, and with the state, county and city health officers, seeking for the children in the schools who are hard of hearing, or have an impaired sense of hearing, and making otological inspections and examinations of children referred to him by such departments and officers. Where necessary or proper he shall make recommendations to parents or guardians of such children, and urge them to submit such recommendations to physicians to be selected by such parents or guardians. [1945 c 23 § 2; Rem. Supp. 1945 § 6010-11.]

Chapter 70.54
MISCELLANEOUS HEALTH AND SAFETY PROVISIONS

Sections

70.54.010 Polluting water supply——Penalty.
70.54.020 Furnishing impure water——Penalty.
70.54.030 Pollution of watershed of city in adjoining state——Penalty.
70.54.040 Secretary to advise local authorities on sanitation.
70.54.050 Exposing contagious disease——Penalty.
70.54.060 Ambulances and drivers.
70.54.065 Ambulances and drivers——Penalty.
70.54.070 Door of public buildings to swing outward——Penalty.
70.54.080 Liability of person handling steamboat or steam boiler.
70.54.090 Attachment of objects to utility poles.
70.54.100 Penalty for violation of RCW 70.54.090.
70.54.110 New housing for agricultural workers to comply with board of health regulations.
70.54.120 Immunity from implied warranties and civil liability relating to blood, blood products, tissues, organs, or bones——Scope——Effective date.
70.54.130 Laetrile——Legislative declaration.
70.54.140 Laetrile——Interference with physician/patient relationship by health facility——Board of pharmacy, duties.
70.54.150 Physicians not subject to disciplinary action for prescribing or administering laetrile——Conditions.
70.54.160 Public restrooms——Pay facilities.
70.54.170 Penalty for violation of RCW 70.54.160.
70.54.180 Telecommunication devices.
70.54.190 DMSO (dimethyl sulfoxide)——Use——Liability.
70.54.200 Fees for repository of vaccines, biologics.
70.54.210 Tributyltin-based marine antifouling paint——Sale and use restricted.

Control of cities and towns over water pollution: Chapter 35.88 RCW.
Council on child abuse and neglect: Chapter 43.121 RCW.
Nuisances, generally: Chapters 7.48 and 9.66 RCW.
Water pollution control: Chapter 90.48 RCW.

70.54.010 Polluting water supply——Penalty. Every person who shall deposit or suffer to be deposited in any spring, well, stream, river or lake, the water of which is or may be used for drinking purposes, or on any property owned, leased or otherwise controlled by any municipal corporation, corporation or person as a watershed or drainage basin for a public or private water system any matter or thing whatever, dangerous or deleterious to health, or any matter or thing which may or could pollute the waters of such spring, well, stream, river lake or water system, shall be guilty of a gross misdemeanor. [1909 c 249 § 290; RRS § 2542.]

70.54.020 Furnishing impure water——Penalty. Every owner, agent, manager, operator or other person having charge of any waterworks furnishing water for public or private use, who shall knowingly permit any act or omit any duty or precaution by reason whereof the purity or healthfulness of the water supplied shall become impaired, shall be guilty of a gross misdemeanor. [1909 c 249 § 291; RRS § 2543.]

70.54.030 Pollution of watershed of city in adjoining state——Penalty. Any person who shall place or cause to be placed within any watershed from which any city or municipal corporation of any adjoining state obtains its water supply, any substance which either by itself or in connection with other matter will corrupt, pollute or impair the quality of said water supply, or the owner of any dead animal who shall knowingly leave or cause to be left the carcass or any portion thereof within any such watershed in such condition as to in any way corrupt or pollute such water supply shall be deemed guilty of a misdemeanor and upon conviction shall be punished

APPENDIX 2

April 13, 1989

INTRODUCED BY LOIS NORTH

PROPOSED NO. 89 - 338

ORDINANCE NO. 9133

AN ORDINANCE reorganizing the Department of Adult Detention into two divisions: Operations Division and Services Division, eliminating the jail commander position as a key subordinate unit, amending Ordinance 6066, Sections 21 and 26, as amended and K.C.C. 2.16.120 and K.C.C. 2.16.100.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 6066, Section 21 as amended and K.C.C. 2.16.120 are hereby amended to read as follows:

DEPARTMENT OF ADULT DETENTION(~~(.)~~) - DUTIES - DIVISIONS.

Effective January 1, 1983, there shall be established a department of adult detention. The department shall be responsible for the administration and operation of the King County (~~(Jail)~~) Correctional Facility and alternate detention programs. The functions of the department include:

A. House adult persons arrested, (~~(and)~~) charged (~~(with)~~) and/or held on investigation of a criminal offense prior to trial or sentencing;

B. House adult persons following sentencing;

C. House adult persons following conviction of a criminal offense and serving terms not exceeding one year;

D. Administer and operate work release programs or other programs providing alternatives to confinement in the jail, as well as services or support function directed to reduction of the jail's population;

E. Provide administrative and support services, and inmate social services.

The department is responsible for the management and fiscal accountability of the activities of the following divisions:

F. OPERATIONS DIVISION. The division is responsible for the secure operation of the county correctional facilities. The functions of the division include:

1. Book and release inmates, maintain inmate records, process and identify inmate property.

2. Perform functions related to residential and building security, including supervision of the inmate population.

3. Transport prisoners to and from court and provide secure escort of prisoners outside the facility.

4. Perform maintenance and repair duties within the correctional facility and serve as liaison with facilities management for maintenance and construction work not directly provided by the department.

5. Provide nutritional meals daily to inmates including preparation of special meals in response to medical and religious requirements.

G. SERVICES DIVISION. The division is responsible for the management of inmate support programs. The functions of the division include:

1. Operate alternative incarceration programs which allow selected inmates to maintain gainful employment, education or rehabilitative treatment while serving jail sentences.

2. Classify inmates, evaluate mentally ill or developmentally disabled inmates, including referral to available community programs, review inmates with psychiatric problems and special population groups, provide general population group management, staff inmate council meetings, and provide outside agency access to the jail, including special visitation, library, recreational and educational services.

3. Provide pretrial release services, including interview of detainees for the purpose of recommending release from jail, and provide supervised release for detainees unable to obtain other forms of release.

4. Provide health care to the inmate population including medical, dental and psychiatric care, in conjunction with the King County health department.

SECTION 2. Ordinance 6066, Section 26, as amended and K.C.C. 2.16.100 are hereby amended to read as follows:

Career Service Exemptions.

A. Exemptions from the requirements of the career service personnel system shall be consistent with the provisions of Section 550, and Sections 350.10 and 350.20 of the King County Charter. Key subordinate units, as determined by the county council, and departmental divisions shall be considered to be executive departments and divisions of the administrative

office of financial management shall be considered to be administrative offices for the purpose of determining the applicability of the charter provisions.

B. Accordingly, directors, managers and supervisors of departments, divisions, key subordinate units as determined by the county council, and other units of government as required by law, shall be exempt from the requirements and provisions of the career service personnel system.

C. In this regard, the following are determined by the council to be key subordinate units due to the nature of the programs involved and their public policy implications, and appointments thereto shall be subject to confirmation by the council:

1. The administrators (~~(for)~~) of the following programs:

a. Public Defense program.

b. Civil defense and compliance program.

(~~(2. The jail commander, department of adult detention.)~~)

(~~(3.)~~) 2. County project coordinators or managers of the following limited term county projects:

a. Harborview medical center project.

b. Correctional facility project.

INTRODUCED AND READ for the first time this 28th day of August, 1989.

PASSED this 18th day of September, 1989.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Chairman

ATTEST:

Clerk of the Council

APPROVED this _____ day of _____, 1989.

~~King County Executive~~

confirmation, the executive shall deliver written notice of said appointment to the council accompanied by a proposed motion confirming the individual.

3. CONFIRMATION BY THE COUNCIL. Upon the receipt of the notification by the executive of an appointment, accompanied by the proposed motion, the council shall act to consider confirmation of the appointment within ninety days. Approval of the introduced motion by a majority of the council shall constitute confirmation of the appointee. Once confirmed, the appointee is no longer serving in an acting capacity.

4. EVALUATION CRITERIA. In considering the confirmation of executive appointments to offices of management level responsibility, the council shall base its review on the ability of the appointee to meet the following criteria:

a. A demonstrated reputation for integrity and professionalism.

b. A commitment to and knowledge of the responsibilities of the office.

c. A history of demonstrated leadership, experience and administrative ability.

d. The ability to work effectively with the executive, the council, other management, public agencies, private organizations and citizens.

e. A demonstrated sensitivity to and knowledge of the particular needs and problems of minorities and women.

5. REQUIRED DOCUMENTATION TO BE SUBMITTED TO THE COUNCIL. The appointee, prior to review of the appointment by the council, shall submit to the chairman:

a. A full and complete resume of his/her employment history, to include references attesting to the stated employment experiences.

b. A signed statement acknowledging that the council's confirmation process may require the submittal of additional information relating to the background and expertise of the appointee.

6. MINIMUM PROCEDURES. Upon receipt of an executive appointment, the chairman or his delegate, subject to the council's rules of procedure, shall notify councilmembers of the appointment and attempt to allow a minimum of one work week for individual members to submit written questions to the reviewing committee.

It is understood that written inquiries submitted to the reviewing committee, by individual councilmembers, may require a written response from the appointee or the executive, in matters pertaining to the process of appointment and other pertinent employment policies of King County. (Ord. 8790 § 1, 1988: Ord. 8311 § 5, 1987: Ord. 6066 § 26, 1982: Ord. 5559 § 1-7, 1981).

2.16.120 Department of adult detention - duties - divisions. Effective January 1, 1983, there shall be established a department of adult detention. The department shall be responsible for the administration and operation of the King County correctional facility and alternate detention programs. The functions of the department include:

A. House adult persons arrested, charged and/or held on investigation of a criminal offense prior to trial or sentencing;

B. House adult persons following sentencing;

C. House adult persons following conviction of a criminal offense and serving terms not exceeding one year;

D. Administer and operate work release programs or other programs providing alternatives to confinement in the jail, as well as services or support function directed to reduction of the jail's population;

E. Provide administrative and support services, and inmate social services.

The department is responsible for the management and fiscal accountability of the activities of the following divisions:

F. OPERATIONS DIVISION. The division is responsible for the secure operation of the county correctional facilities. The functions of the division include:

1. Book and release inmates, maintain inmate records, process and identify inmate property.

2. Perform functions related to residential and building security, including supervision of the inmate population.

3. Transport prisoners to and from court and provide secure escort of prisoners outside the facility.

4. Perform maintenance and repair duties within the correctional facility and serve as liaison with facilities management for maintenance and construction work not directly provided by the department.

5. Provide nutritional meals daily to inmates including preparation of special meals in response to medical and religious requirements.

G. SERVICES DIVISION. The division is responsible for the management of inmate support programs. The functions of the division include:

1. Operate alternative incarceration programs which allow selected inmates to maintain gainful employment, education or rehabilitative treatment while serving jail sentences.

2. Classify inmates, evaluate mentally ill or developmentally disabled inmates, including referral to available community programs, review inmates with psychiatric problems and special population groups, provide general population group management, staff inmate council meetings, and provide outside agency access to the jail, including special visitation, library, recreational and educational services.

3. Provide pretrial release services, including interview of detainees for the purpose of recommending release from jail, and provide supervised release for detainees unable to obtain other forms of release.

4. Provide health care to the inmate population including medical, dental and psychiatric care, in conjunction with the King County health department. (Ord. 9133 § 1, 1989: Ord. 6066 § 21, 1982).

2.16.130 Department of human resources.* Effective January 1, 1983, there shall be established a department of human resources. The department is responsible to manage, be fiscally accountable for the following assigned programs and divisions:

A. DIVISION OF HUMAN SERVICES. The functions of the division include:

1. Manage and operate an involuntary treatment program.

2. Allocate funds to agencies for the provision of mental health and developmental disability and aging services; and accordingly, write applicable contracts, verify billings and authorize fiscal reimbursement.

3. Provide staff support and liaison to appropriate advisory boards and other governmental agencies in their performance of planning and allocation processes.

4. Provide information and referral services to the general public.

*See 2.60 for Public Defense program within this department and the appointment of Public Defense Administrator.

APPENDIX 4

RECEIVED
JUL 9 1987
DIRECTOR'S OFFICE
KING COUNTY
DEPT. OF ADULT DETENTION

Corrections Standards Board

PHYSICAL PLANT STANDARDS FOR HOLDING, DETENTION AND CORRECTIONAL FACILITIES

Incorporating All Additions And Amendments Through February, 1987

Chapter 289-02 WAC
INTRODUCTION AND DEFINITIONS

WAC
289-02-010 General.
289-02-020 Definitions.
289-02-030 Classification change.
289-02-040 Classification and uses of holding facilities.
289-02-050 Classification and uses of special detention and work release facilities.

WAC 289-02-010 General. The rules set forth in this title are adopted by the state jail commission pursuant to and for purposes of fulfilling the mandates of the City and County Jails Act, chapter 70.48 RCW. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-010, filed 6/27/79.]

WAC 289-02-020 Definitions. The following words and phrases shall have the meaning indicated whenever used in this title unless a different meaning is specifically indicated.

(1) "Clear floor space" means floor area which is unobstructed by any permanent fixture.

(2) "Contraband" means any substance or item not specifically permitted by a jail administration.

(3) "Commission" or "state jail commission" refers to e commission established pursuant to RCW 70.48.030.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed and used fo housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Day room" means an area to which prisoners have unrestricted access during all or part of a day for leisure, dining, hygiene, or similar activities. This definition does not include areas specifically designed for physical exercise.

(6) "Detention facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(7) "Dormitory" means a secured sleeping and day room area occupied by more than one prisoner, provided, that the term "dormitory" shall not include a single cell presently operated as a cell and originally designed for single occupancy.

(8) "Governing unit" means the city and/or county or any combination of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(9) "Holding facility" means a facility operated by a overning unit primarily designed, staffed and used for temporary housing of adult persons charged with a minal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(10) "Jail" means any holding, detention, or correctional facility as defined herein, or any farm, camp, or work release facility established and operated in conjunction with a jail.

(11) "Living area" includes single cells, dormitories, day room area and leisure time activity space.

(12) "Major urban" refers to a county or combination of counties which contains a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(13) "Medium urban" refers to a county or combination of counties which contains a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(14) "Public records" include any writing or recording which contains information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or returned by any state or local agency regardless of its physical form or characteristics.

(15) "Rural" refers to a county or combination of counties which does not contain a city having a population of more than ten thousand based on the 1978 projections of the office of financial management.

(16) "Single cell" means a secured sleeping area occupied by only one prisoner, and which is physically and visually separated from other prisoner sleeping areas on three of its four sides.

(17) "Communicable disease" means micro-organisms that are easily transferable from one body to another creating a condition which must be reported to the health department.

(18) "Work release program" means a program of scheduled release from the physical confines of a city or county jail, special detention facility or work release center for the purpose of employment, seeking employment or school.

(19) "Work release facility" means any building or designated portion of a building primarily designed, staffed, and used for the housing of persons participating in a work release program.

(20) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(21) "Substantially remodeled" means significant alations made to the physical plant of a jail to conform th the physical plant standards.

(22) "Strip search" means having a person remove or range some or all of his or her clothing so as to permit inspection of the genitals, buttocks, anus or underrments of a person or breasts of a female person. [Statutory Authority: RCW 70.48.050. 86-19-016 (Order 86-07), § 289-02-020, filed 9/9/86. Statutory Auority: RCW 10.79.060 - 10.79.110. 85-01-032 (Resolution No. 84-51), § 289-02-020, filed 12/12/84. Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 10 § 7. 84-21-043 (Order 84-51), § 289-02-020, filed 0/12/84. Statutory Authority: Chapter 70.48 RCW nd 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-2-020, filed by 11/28/79. Statutory Authority: RCW 0.48.050(1). 79-07-067 (Order 2), § 289-02-020, filed /27/79.]

WAC 289-02-030 Classification change. Under auhority cited in RCW 70.48.050 (1)(c) the commission shall classify each jail and each jail shall function in compliance with the provisions of its classification as defined in RCW 70.48.020 and the applicable administrative codes.

A jurisdiction may request a change of classification by submitting a written request to the commission stating the qualification therefor. The commission shall act on the request within ninety days. Upon denial of the request the appeal process as outlined in RCW 70.48.080(4) may be used.

Before granting a change in any jail classification the commission shall determine that the requesting jail meets all standards for the requested classification. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-030, filed 6/27/79.]

WAC 289-02-040 Classification and uses of holding facilities. (1) The corrections standards board shall classify each holding facility as a "6-hour," "72-hour," or "30-day" holding facility, pursuant to WAC 289-02-030. (2) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve up to four 72-hour sentences in a 72-hour holding facility: *Provided*, That no continuous portion thereof exceeds 72 hours and each such portion is followed by a period of nonincarceration which is at least as long as the period of incarceration. (3) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve two 30-day sentences in a 30-day holding facility: *Provided*, That no continuous portion thereof exceeds 30 days and each such portion is followed by a period of nonincarceration of at least seven days. [Statutory Authority: RCW 70.48.050 (1)(c). 83-24-046 (Order 35), § 289-02-040, filed 12/2/83.]

WAC 289-02-050 Classification and uses of special detention and work release facilities. (1) The corrections standards board shall classify each special detention facility as a "72-hour" or "1-year" special detention facility pursuant to WAC 289-02-030.

(2) The corrections standards board shall classify each work release facility as a work release facility, pursuant to WAC 289-02-030. [Statutory Authority: RCW 70-.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-02-050, filed 10/12/84.]

Chapter 289-12 WAC
PHYSICAL PLANT STANDARDS

WAC

289-12-010	Purpose.
289-12-020	Approval of site selection and design plan.
289-12-030	New facilities.
289-12-035	Guidelines for review of plans not meeting physical plant standards.
289-12-040	Remodeled facilities.
289-12-045	Variances from space requirements.

WAC 289-12-010 Purpose. The purpose of this chapter is to provide minimum standards for substantial remodeling of existing jails or constructing new jail facilities and for evaluating and measuring conformance of existing jails for degree of compliance with physical plant standards in accordance with RCW 70.48.050 through 70.48.080. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-12-010, filed 6/27/79.]

WAC 289-12-020 Approval of site selection and design plan. (1) No new jail shall be built or existing jail substantially remodeled without site and construction plan approval by the commission.

(2) All architectural plans for new construction or substantial remodeling shall adequately describe expansion capabilities and such description shall include mechanical and electrical services to the expansion points.

(3) Site and construction plans for a jail, which otherwise meet the requirements of these physical plant standards, will generally be approved for state funding with a ratio of sixty percent single cells to forty percent dormitories. Approval of jail plans providing for a greater or lesser ratio of single cells may be granted within the discretion of the commission upon a showing of necessity under the specific circumstances. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-12-020, filed 6/27/79.]

WAC 289-12-030 New facilities. (1) Initial planning for new facilities. The design planning of all new detention and correctional facilities shall include:

(a) Obtaining the participation of the community and surrounding governing units in site selection and planning; and

(b) Analyzing the present and future qualitative function and quantitative workload of the proposed facility, giving optimum consideration to alternatives to confinement.

(2) Specific physical plant standards. (Detention and correctional facilities except as otherwise noted.)

(a) Functional areas.

(i) Sleeping and living areas shall be designed to provide adequate confinement, reasonable prisoner to prisoner privacy, sight and sound surveillance and protection for prisoners and staff. For such purposes, the following are the design criteria for state funding of new construction or renovation of detention and correctional facilities. Modifications thereto shall be considered under the provisions of WAC 289-12-035.

(A) Single occupancy cells shall be seventy-two square feet or larger with not less than eight foot ceilings. A single occupancy cell should contain not less than fifty square feet of clear floor space. Each single occupancy cell or group of single occupancy cells shall provide an adjacent day room which shall provide a minimum of thirty-five square feet per prisoner, but not less than a total of one hundred forty-four square feet.

(B) Dormitories, when included shall have a minimum and maximum capacity of eight to fourteen males or four to fourteen females. Each dormitory shall provide a sleeping and day room area. The combined space of a dormitory sleeping and day room area shall provide a minimum of eighty-five square feet per prisoner, except for board-approved variances as provided in WAC 289-12-045. The day room portion shall be not less than one hundred forty-four square feet. The sleeping area shall have not less than eight foot, six inch ceilings if double bunks are used.

(ii) Program, recreation and exercise areas. Detention and correctional facilities shall provide adequate indoor program and recreation area(s) and a multipurpose outdoor exercise and activity area with toilet facilities.

(iii) Kitchen and dining facilities.

(A) When kitchen facilities are included, such facilities shall be adequate for the sanitary preparation of three nutritionally balanced meals per day and shall meet the requirements of chapter 248-84 WAC.

(B) Dining area(s) shall allow conversational opportunities in adequate surroundings. Meals shall not be served in cells, except where necessary for the health, security and/or well-being of prisoners and staff.

(iv) Examining room, infirmary and medical isolation.

(A) Detention and correctional facilities shall provide space to be used as a medical examining room. This space may be multipurpose, but when used as an examining room it shall provide sight and sound privacy and be equipped with natural spectrum fluorescent lighting, a handwashing lavatory with a gooseneck spout, either foot, knee, push plate, electric eye beam, or equivalent faucet controls, and sufficient lockable storage for medical equipment and supplies.

(B) When an infirmary is located within the facility, infirmary space shall allow a minimum of three feet between the perimeter of each bed and walls, beds, and any fixed obstruction: *Provided*, That this three foot requirement does not apply to the distance between the head of a bed and the wall. The infirmary shall be

pped with its own lavatory, toilet, shower and tub.

C) If medical isolation facilities are located within jail such facilities shall conform to applicable standards of WAC 248-18-530 and 248-18-718.

(v) Visitation and confidential consultation.

(A) Space for visitation shall be included in detention and correctional facilities. Such space shall allow surveillance and the degree of control over physical contact deemed necessary by jail management for visible control, and shall simultaneously provide adequate seating for prisoners and their visitor(s).

(B) Detention and correctional facilities shall provide adequate facilities for confidential consultation(s).

(vi) Laundry. If laundry facilities are provided within the jail, such facilities shall be adequate for sanitary washing and drying of the jail laundry. Separate areas should be arranged for storage and sorting of soiled laundry and for the sorting, folding and storage of clean laundry.

(vii) Storage. Detention and correctional facilities shall include one or more secure storage area(s) for the storage of prisoner personal clothing and property and for necessary jail equipment and supplies.

(viii) Supervisory stations.

(A) Sufficient space and equipment for the facility supervisor shall be provided in an area secure from prisoner access. An adequate control room shall be secure from any unauthorized access and it shall be capable of controlling access to the facility by the general public.

(B) Sight and sound surveillance equipment, where used, shall be monitored in the control room and remote control operating devices shall also be in the control room. The control room shall be equipped with a sink and toilet.

(ix) Booking and reception areas. The booking area(s) shall include, but not be limited to, restroom facilities with shower, a "strip search" room, holding cell(s) (may be multiple occupancy), telephone, and space for photographing, fingerprinting, delousing, intoxication determinations and health screening.

(b) Structural criteria. Subject to appropriate modifications on a case-by-case basis under the provisions of WAC 289-12-035, the following structural criteria shall apply to all state funded new construction or remodeling of detention and correctional facilities:

(i) Building codes. All standards contained in the current Washington state building code established by RCW 19.27.030, the electrical wiring provisions of chapter 19.28 RCW, and more restrictive local standards shall be followed in all new jail construction.

(ii) Materials for walls, floors and ceilings. In all jail facilities, walls, floors and ceilings shall be constructed with materials adequate to attain the degree of security required for each area of the facility. Such materials shall be easily cleanable, provide minimum sound transmission and fire protection. Polyurethane, neoprene or similar type materials shall not be used in padded cells. All paint used in a jail facility shall be fire resistant and nontoxic.

(iii) Entrances and exits.

(A) Detention and correctional facilities shall have two secure vestibules for ingress and egress.

(B) Elevators shall have no less than six feet by eight feet inside dimensions.

(C) A secure area shall be provided for loading and unloading prisoners.

(iv) Windows and/or skylights. Windows and/or skylights shall be sufficient to provide natural light to all living areas, yet locations shall assure security from escape and introduction of contraband.

(v) Noise level. Noise level shall conform to the requirements of chapter 173-60 WAC (Maximum environmental noise levels).

(c) Utilities. Subject to the appropriate modifications on a case-by-case basis under the provisions of WAC 289-12-035, the following criteria for utilities will apply to all state funded new construction or remodeling of detention and correctional facilities:

(i) Prisoner living areas, inspection corridors, and vestibules shall have secure lights with outside switch control. No electrical conduit shall be accessible from any cell, though each living unit may contain outlets and switches, provided they are unilaterally controllable by staff.

(ii) Lighting. Illumination at all times shall be adequate for security and surveillance, and daytime and evening illumination shall be sufficient to permit prisoners to read in their cells (thirty foot candles at thirty inches minimum, one hundred foot candles at thirty inches for medical examining areas, fifty foot candles at thirty inches for work areas).

(iii) Water supply. There shall be an adequate supply of sanitary hot and cold water available at all times to prisoners. Hot water for general use shall be adequate.

(iv) Plumbing—Toilets, lavatories, showers and floor drains.

(A) There shall be at least one toilet and lavatory for every fourteen prisoners. Separate facilities shall be provided for each sex.

(B) A minimum of one shower head shall be provided for every fourteen prisoners.

(C) Floor drains shall be constructed to serve all cells, dormitories and other areas where necessary to facilitate cleaning. Floor drains shall be located outside the cell space to reduce the incidence of tampering and flooding. Plumbing connection and pipes shall be secure from uncontrolled access by prisoners.

(v) Heating, ventilation and air conditioning.

(A) The systems shall maintain mean temperatures between sixty-five and eighty-five degrees F.

(B) The ventilating system shall provide for the number of air changes per hour as specified in the Uniform Building Code.

(d) Support systems.

(i) Fire detection and suppression. All jails shall have smoke and fire detection and alarm equipment. Fire alarm systems shall conform to all state and local fire regulations. Sprinklers shall not be required within c... and conflicting requirements of local code provis...

preempted, when all other applicable code provisions relating to fire safety are met and an effective smoke control system is incorporated in the facility design.

(ii) Emergency power. All detention and correctional facilities shall be equipped with emergency power sources with sufficient capacity to maintain communications and alarm systems, to move one jail elevator, where one exists, to provide minimum lighting within the facility and perimeter and for the preparation of a light meal.

(3) Minimum security facilities. Jail facilities shall be constructed to totally separate areas for housing prisoners who are allowed to go outside the jail regularly from all other prisoner areas.

(4) Holding facilities. Holding facilities shall be secure. Such facilities shall have adequate lighting, heat, ventilation and fire detection and suppression equipment. Each holding facility cell shall be equipped with a bed, toilet, lavatory and a drinking fountain. A telephone shall be accessible. [Statutory Authority: RCW 70.48.050. 86-19-016 (Order 86-07), § 289-12-030, filed 9/9/86. Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070. 85-14-120 (Resolution No. 85-02), § 289-12-030, filed 7/3/85; 85-05-002 (Resolution No. 85-02), § 289-12-030, filed 2/7/85. Statutory Authority: Chapter 70.48 RCW. 82-20-094 (Order 30), § 289-12-030, filed 10/6/82. Statutory Authority: RCW 70.48.050(5) and 70.48.070(4). 82-08-051 (Order 24), § 289-12-030, filed 4/2/82. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-12-030, filed 6/27/79.]

WAC 289-12-035 Guidelines for review of plans not meeting physical plant standards. (1) Purpose. It is the purpose of this rule, in response to chapter 12, Laws of 1981 2nd ex. sess., to establish guidelines for the review and approval of plans which do not meet the previously-adopted physical plant standards set forth above but which may still satisfy minimal constitutional standards.

(2) General guidelines. In light of recent supreme court decisions, plans for new and/or remodeled state-funded detention or correctional facilities may be submitted to the commission for approval even though such plans contain modifications to the physical plant standards cited above. Such modifications to physical plant standards may include but are not necessarily limited to the following:

(a) Less than 72 square feet per prisoner in single occupancy cells;

(b) Less than 50 square feet per prisoner in dormitories;

(c) Less than 35 square feet per prisoner in dayrooms; and

(d) Multiple occupancy cells of more than one prisoner.

(3) Criteria for review. Based on recent supreme court decisions, the commission's review of plans submitted which contain requests for significant modifications from physical plant standards shall take into consideration following elements:

(a) The reasonableness of the proposed square footage per prisoner under (2)(a) through (2)(d) above;

(b) The length of prisoner stay in living areas designed to less than square footage required by WAC 289-12-030;

(c) Amount of out-of-cell opportunities, including but not limited to recreational, educational, and work programs;

(d) Whether modifications being proposed under (2) above will permit adequate classification and segregation of prisoners; and

(e) Whether other areas of the jail incorporate adequate space for necessary support activities and services, for which purpose the jail commission's "jail architectural programming guidelines" shall continue to be the general reference.

(4) Procedures for review. (a) Governing unit requests for approval of plans which include modifications to the physical plant standards as set forth in subsection (2), shall be submitted and approved or denied in accordance with established funding procedures set forth in chapter 289-13 WAC;

(b) Plans submitted by a governing unit for review and approval of modifications to the physical plant standards shall include a detailed statement that contains a sufficient amount of information on items (3)(b) through (3)(e) above to make a determination of adequacy on the plans;

(c) Governing unit requests for approval of plans will be scheduled for public meeting review and approval or disapproval by the full commission.

(5) Approval of plans submitted under this section will be based upon the established funded capacity and maximum budget for specific projects. No plan will be approved under this section which is not supported by a written showing of either (a) reduced construction costs or (b) no increase in construction costs but significant operational savings to the governing unit. [Statutory Authority: 1981 2nd ex.s. c 12, RCW 70.48.050(5), 70.48.060(3) and 70.48.070(4). 82-11-069 (Order 27), § 289-12-035, filed 5/17/82.]

WAC 289-12-040 Remodeled facilities. Plans for substantially remodeling existing jail facilities shall conform to the minimum standards for physical plants, except where variances are approved by the commission. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-12-040, filed 6/27/79.]

WAC 289-12-045 Variances from space requirements. (1) Purpose. It is the purpose of this section to establish guidelines for local jurisdictions to apply for a variance from the square footage requirements as set forth in WAC 289-12-030 (2)(a)(i)(B) relating to square footage per prisoner in day rooms and dormitories in detention and correctional facilities and WAC 289-10-310 relating to square footage per prisoner in living space in special detention and work release facilities. RCW 70.48.070(2) authorizes the corrections standards board to grant variances from the physical plant standards consistent with the intent of the city and

county jails act. The rule set forth in this section are consistent with the act's legislative declaration that states "It is the policy of this state that all city and county jails provide a humane and safe environment."

(2) Guidelines. Approval or disapproval of variances and increased capacity will be considered on a case-by-case basis, considering those applications elements cited under subsection (3)(a) through (l) of this section and the following guidelines:

(a) Expansion of capacity and the granting of a variance under this section should be the final reasonable option available to the local jurisdiction for handling the increase in jail population.

(b) The local jurisdiction must provide assurance that all other options, including the use of alternatives to incarceration, completion of state-funded jail expansion space, decreasing the number of out-of-jurisdiction prisoners, not including those prisoners held under contract for other local governing units, and opening a new special detention facility have been satisfactorily considered.

(c) Variances will be approved pursuant to this section in response to overcrowding of local prisoners.

(3) Application. Application for a variance for the purpose of increasing the capacity in a detention, correctional, or special detention facility beyond that allowed by the physical plant standards shall be made jointly by the chief law enforcement officer or director of the local department of corrections and local governing unit. The application shall address, but not be limited to, the following elements:

(a) The specific area or areas of a facility for which a capacity increase is proposed.

(b) The impact on compliance with physical plant standards, e.g., day room space, number of showers and toilets per prisoner, adequacy of ancillary services such as exercise (outdoor and indoor), recreation, visiting, dining, food services, laundry, and program areas.

(c) The anticipated length-of-stay for prisoners to be placed in an area for which capacity has been increased, and the reasons for placing this population in this increased-capacity area.

(d) The amount of time the prisoner would have away from the sleeping area.

(e) The availability of access to day rooms, visiting, exercise areas, and other programs.

(f) The impact on compliance with custodial standards, with particular focus on:

(i) Prisoner monitoring and surveillance, i.e., continual surveillance, observation every hour, and three-minute response time;

(ii) Delivery of medical services;

(iii) Quality and quantity of food;

(iv) Ability to classify properly;

(v) Sanitation, including a specific plan as to how sanitation will be maintained despite the increased population;

(vi) Visiting;

(vii) Indoor and outdoor exercise; and

(viii) Other programs and services.

(g) The impact of the change on other ja[illegible] populations.

(h) The impact on incidents and violence, including [illegible] specific plan as to how violence will be controlled despite the increased population and the increased potential for hostility and tension.

(i) Assurances from the jurisdiction that increasing capacity would not cause the staff-to-prisoner ratio to be insufficient for purposes of providing a safe, secure, healthful environment.

(j) Certification from local fire officials that the safety of inmates is not being compromised by adding or increasing capacity in all or a portion of the jail.

(k) The impact on transport services, e.g., to court, the hospital, and clinics.

(l) Written policies and procedures on classification and segregation, specifying which area(s) of the jail for which increased capacity is approved, which types of inmates may be placed in an area for which capacity has been increased, who will make this decision, and the length of time an inmate may be held in an area for which capacity has been increased.

(4) Limitations. Variance requests are limited to dormitories and will not be considered for single occupancy cells.

(5) Procedures for review. Requests for approval of variances and increased capacity will be scheduled for public meeting review and approval or disapproval by the corrections standards board.

(6) Conditions on approved variances. The correc[illegible] standards board, on approval of a variance, may impo[illegible] such conditions as it deems appropriate. These may include, but are not limited to, any or all of the following conditions:

(a) Quarterly reports on the impact of the increased capacity which may include, but not be limited to:

(i) Number of inmates placed in an area for which capacity has been increased;

(ii) Average length of stay;

(iii) Number and nature of incidents that have occurred;

(iv) Noncompliance with custodial care standards;

(v) Certification that the staff-to-prisoner ratio is or is not sufficient for purposes of providing a safe, secure, healthful environment.

(b) Specific conditions to ensure that the health, welfare and security of persons confined in the jail is maintained.

(7) Prior variances. Variances previously granted by the board shall remain in effect unless specifically modified or terminated by the board at the time a variance pursuant to this section is granted.

(8) Termination. A variance may be terminated by the board if increased capacity is determined to cause an adverse impact on the health, welfare, and security of persons confined in the jail. In the event of a variance termination, the board may enter such orders as it [illegible] appropriate to safeguard the health and safety o[illegible] oners and the public, including but not limited to any combination of the following:

(a) Requiring submission of a plan to either release excess prisoners or provide another adequate facility for e housing of excess prisoners, or both;

(b) Requiring the removal of beds from the affected dormitory area; and

(c) Requiring the jurisdiction to provide other alternative means to ensure a reduction of the population. [Statutory Authority: RCW 70.48.050. 86-19-016 (Order 86-07), § 289-12-045, filed 9/9/86.]

APPENDIX 5

Corrections Standards Board

CUSTODIAL CARE STANDARDS FOR SPECIAL DETENTION AND WORK RELEASE FACILITIES

Incorporating All Additions And Amendments Through March 31, 1986

CHAPTER 289-02 WAC
INTRODUCTION AND DEFINITIONS

CHAPTER 289-26 WAC

CUSTODIAL CARE STANDARDS
(Special Detention)

CHAPTER 289-28 WAC

CUSTODIAL CARE STANDARDS
(Work Release)

Chapter 289-02 WAC
INTRODUCTION AND DEFINITIONS

WAC

289-02-010	General.
289-02-020	Definitions.
289-02-030	Classification change.
289-02-040	Classification and uses of holding facilities.
289-02-050	Classification and uses of special detention and work release facilities.

WAC 289-02-010 General. The rules set forth in this title are adopted by the state jail commission pursuant to and for purposes of fulfilling the mandates of the City and County Jails Act, chapter 70.48 RCW. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-010, filed 6/27/79.]

WAC 289-02-020 Definitions. The following words and phrases shall have the meaning indicated whenever used in this title unless a different meaning is specifically indicated.

(1) "Clear floor space" means floor area which is unobstructed by any permanent fixture.

(2) "Contraband" means any substance or item not specifically permitted by a jail administration.

(3) "Commission" or "state jail commission" refers to the commission established pursuant to RCW 70.48.030.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed and used for housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Day room" means a multipurpose area separate and distinct from a sleeping area, but adjacent thereto, designed primarily for prisoner leisure time activity exclusive of physical exercise activity.

(6) "Detention facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(7) "Dormitory" means a secured sleeping and living area occupied by more than one prisoner.

(8) "Governing unit" means the city and/or county or any combination of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(9) "Holding facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(10) "Jail" means any holding, detention, or correctional facility as defined herein, or any farm, camp, or work release facility established and operated in conjunction with a jail.

(11) "Living area" includes single cells, dormitories, day room area and leisure time activity space.

(12) "Major urban" refers to a county or combination of counties which contains a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(13) "Medium urban" refers to a county or combination of counties which contains a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(14) "Public records" include any writing or recording which contains information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or returned by any state or local agency regardless of its physical form or characteristics.

(15) "Rural" refers to a county or combination of counties which does not contain a city having a population of more than ten thousand based on the 1978 projections of the office of financial management.

(16) "Single cell" means a secured sleeping area occupied by only one prisoner, and which is physically and visually separated from other prisoner sleeping areas on three of its four sides.

(17) "Communicable disease" means micro-organisms that are easily transferable from one body to another creating a condition which must be reported to the health department.

(18) "Work release program" means a program of scheduled release from the physical confines of a city or county jail, special detention facility or work release center for the purpose of employment, seeking employment or school.

(19) "Work release facility" means any building or designated portion of a building primarily designed, staffed, and used for the housing of persons participating in a work release program.

(20) "Leisure time activity space" means day room area, program area and exercise area.

(21) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(22) "Substantially remodeled" means significant alterations made to the physical plant of a jail to conform with the physical plant standards.

(23) "Strip search" means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus or undergarments of a person or breasts of a female person. [Statutory Authority: RCW 10.79.060 – 10.79.110. 85-01-032 (Resolution No. 84-51), § 289-02-020, filed 12/12/84. Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-02-020, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW and 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-02-020, filed by 11/28/79. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-020, filed 6/27/79.]

WAC 289-02-030 Classification change. Under authority cited in RCW 70.48.050 (1)(c) the commission shall classify each jail and each jail shall function in compliance with the provisions of its classification as defined in RCW 70.48.020 and the applicable administrative codes.

A jurisdiction may request a change of classification by submitting a written request to the commission stating the qualification therefor. The commission shall act on the request within ninety days. Upon denial of the request the appeal process as outlined in RCW 70.48.080(4) may be used.

Before granting a change in any jail classification the commission shall determine that the requesting jail meets all standards for the requested classification. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-030, filed 6/27/79.]

WAC 289-02-040 Classification and uses of holding facilities. (1) The corrections standards board shall classify each holding facility as a "6-hour," "72-hour," or "30-day" holding facility, pursuant to WAC 289-02-030. (2) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve up to four 72-hour sentences in a 72-hour holding facility: *Provided*, That no continuous portion thereof exceeds 72 hours and each such portion is followed by a period of nonincarceration which is at least as long as the period of incarceration. (3) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve two 30-day sentences in a 30-day holding facility: *Provided*, That no continuous portion thereof exceeds 30 days and each such portion is followed by a period of nonincarceration of at least seven days. [Statutory Authority: RCW 70.48.050 (1)(c). 83-24-046 (Order 35), § 289-02-040, filed 12/2/83.]

WAC 289-02-050 Classification and uses of special detention and work release facilities. (1) The corrections standards board shall classify each special detention facility as a "72-hour" or "1-year" special detention facility pursuant to WAC 289-02-030.

(2) The corrections standards board shall classify each work release facility as a work release facility, pursuant to WAC 289-02-030. [Statutory Authority: RCW 70-.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-02-050, filed 10/12/84.]

Chapter 289-26 WAC
CUSTODIAL CARE STANDARDS FOR SPECIAL DETENTION FACILITIES

WAC	
289-26-005	Introduction to custodial care standards for special detention facilities.
289-26-100	General administration.
289-26-120	Training.
289-26-130	Records.
289-26-200	Emergency procedures.
289-26-210	Fire prevention and suppression.
289-26-220	Use of force.
289-26-300	Capacity.
289-26-310	Crowding.
289-26-320	Overcrowding.
289-26-400	Admissions.
289-26-410	Low-risk classification.
289-26-420	Orientation.
289-26-430	Classification/segregation criteria.
289-26-440	Good time.
289-26-450	Release and transfer.
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289-26-500	Staffing.
289-26-510	Supervision and surveillance.
289-26-520	Critical articles.
289-26-600	Introduction.
289-26-610	Prisoner rights.
289-26-620	Prisoner rules of conduct.
289-26-630	Discipline.
289-26-640	Grievance procedures.
289-26-700	Written procedures for medical services.
289-26-705	Health care policies and procedures.
289-26-710	Health screening.
289-26-720	Access to health care.
289-26-730	Health care training.
289-26-735	Public health.
289-26-740	Medications control.
289-26-750	Health care records.
289-26-760	Special medical issues.
289-26-765	Access to facilities.
289-26-770	Food.
289-26-780	Clothing, bedding and personal items.
289-26-790	Sanitation.
289-26-800	Services.
289-26-810	Programs.
289-26-900	Telephone usage.
289-26-910	Mail.
289-26-920	Visitation.

WAC 289-26-005 Introduction to custodial care standards for special detention facilities. (1) The provisions of chapter 289-26 WAC incorporate custodial care standards applicable to special detention facilities as defined under WAC 289-02-020 and 289-02-050, and to work release facilities. Each standard is mandatory for the classification to which it applies unless specifically labeled as advisory or not applicable.

(2) The mandatory custodial care standards for special detention facilities are intended to meet minimum legal requirements for health, welfare, and security for low-risk prisoners (including work release prisoners) considering the length of stay and the prisoner classification involved. They do not preclude the adoption of more stringent requirements not in conflict with such standards by the governing authority, chief law enforcement officer, or department of corrections responsible for a particular facility. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-005, filed 10/12/84.]

WAC 289-26-100 General administration. There shall be written policies and procedures which shall be made available to each authorized person who is responsible for the confinement of a prisoner in the facility. These may be included in policies and procedures for a jail of which the special detention facility is a part. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-100, filed 10/12/84.]

WAC 289-26-120 Training. (1) All authorized persons responsible for the confinement of a prisoner shall receive an orientation to the policies and procedures of the facility relative to their duties. On the job training shall be provided as deemed appropriate by the chief law enforcement officer or department of corrections.

(2) All special detention facility staff whose primary responsibility is the supervision of prisoners shall meet the training and education standards established by the Washington state criminal justice training commission. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-120, filed 10/12/84.]

WAC 289-26-130 Records. (1) Confidentiality. All facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(2) Individual case records. An individual file or record shall be kept for each prisoner.

(3) Medical.

(a) Any prisoner medical information other than that included in the prisoner's individual file under WAC 289-26-130(2) shall be maintained separately to the extent necessary to maintain confidentiality.

(b) Any medical problems experienced by a prisoner while in the facility shall be recorded and such records maintained. Information concerning medical problems shall be transmitted at the time the prisoner is transported to another jail, hospital, or other facility.

(4) Jail register. Each special detention facility shall keep a jail register as required by RCW 70.48.100.

(5) Population accounting. Each special detention facility shall submit reports on its population on at least a monthly basis, on forms provided by the corrections standards board. (Not applicable - 72 hour)

) Incidents and infractions. Written records shall be ntained for all incidents which result in major prop- damage or bodily harm, and for all instances where or disciplinary sanctions are imposed.

7) Incident reports. The corrections standards board ll be notified within seven business days of any death, npleted escape or serious fire. Reports of such inci- nts shall be retained.

8) Activity log. A log of daily activity should be kept hin the facility. WAC 289–26–130(7) ADVISORY.

(9) Personnel. Performance and training records ould be maintained for each staff member employed the facility. WAC 289–14–130(8) ADVISORY. [Statu- ry Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 84–21–043 (Order 84–51), § 289–26–130, filed 0/12/84.]

WAC 289–26–200 Emergency procedures. (1) The epartment of corrections or chief law enforcement offi- er shall establish and maintain written emergency pro- edures as appropriate for the specific facility.

(2) The emergency plans shall outline the responsibil- ities of special detention facility staff, evacuation proce- dures, and subsequent disposition of the prisoners after removal from the area or facility.

(3) Emergency plans shall always be available to the authorized person in charge of the facility.

(4) All personnel shall be trained in the emergency procedures. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84–21–043 (Order 84–51), § 289–26–200, filed 10/12/84.]

WAC 289–26–210 Fire prevention and suppression. The department of corrections or chief law enforcement officer shall establish and maintain a written fire pre- vention, suppression, and evacuation plan. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84–21–043 (Order 84–51), § 289–26–210, filed 10/12/84.]

WAC 289–26–220 Use of force. (1) The depart- ment of corrections or chief law enforcement officer shall establish and maintain written policies and proce- dures regarding the use of force and the use of deadly force, which shall be consistent with WAC 289–28–220.

(2) Only lawful and reasonable force to the person of a prisoner shall be used.

(3) Deadly force shall not be used on a prisoner unless the person applying the deadly force reasonably believes that the prisoner poses an immediate threat of death or grievous physical injury to an officer or employee of the facility or any other person, or prevent the escape of a prisoner arrested for a felony, and the officer reasonably believes that other reasonable and available alternatives would be ineffective.

(4) A written report on the use of such force or deadly force shall be made. In the case of deadly force a written report shall be made by each staff member involved or observing the use of such deadly force. The report(s) shall be reviewed by the chief law enforcement officer or department of corrections or his designee who shall, if appropriate, investigate the incident further and make a determination whether appropriate, justified or reason- able force was used. Said determination shall be made a matter of record.

(5) The "carotid sleeper hold" means any hold or re- straint specifically designed to inhibit blood flow through the carotid arteries of the neck without inhibi- ting breathing by compression of the airway in the neck and without compression of the larynx or trachea. The carotid sleeper hold shall be considered to be deadly force.

(6) The "choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck. The choke hold shall be con- sidered to be deadly force.

(7) The carotid sleeper hold generally presents less danger of causing serious injury or death than the choke hold and therefore is generally preferred over the choke hold in situations where such holds are permissible.

(8) No neck hold shall be used, except by persons in- structed in the use of the carotid sleeper hold, its dan- gers and in the dangers of the choke hold. Refresher training shall be provided on at least an annual basis.

(9) Medical attention shall be administered to the prisoner by a qualified medical professional as soon as possible after the use of the carotid sleeper hold or the choke hold. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84–21–043 (Order 84–51), § 289–26–220, filed 10/12/84.]

WAC 289–26–300 Capacity. (1) The director of the local department of corrections or chief law enforcemen officer shall propose a maximum capacity for each spe- cial detention facility, except where such facility's ca- pacity is already included within a jail facility with an established capacity under WAC 289–15–225. Notice of such proposed maximum capacity shall be delivered to the corrections standards board at least sixty days prior to the opening of a facility.

(2) The board shall establish a maximum capacity at its next regularly–scheduled public meeting. It shall be the responsibility of the board to establish cause for re- vising the maximum capacities proposed by the govern- ing unit in question. Special detention facilities will be deemed adequate to house up to the number of prisoners which would result in an average net living space of ninety–five square feet per prisoner in each of the living areas of the facility. [Statutory Authority: RCW 70.48- .050 (3)(c) and 1984 c 110 § 7. 84–21–043 (Order 84– 51), § 289–26–300, filed 10/12/84.]

WAC 289–26–310 Crowding. Facilities shall provide one bed and an average net living area (as defined in WAC 289–02–020(11)) of at least ninety–five square feet for each prisoner. Population shall not exceed ca- pacity, as determined pursuant to WAC 289–26–300. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84–21–043 (Order 84–51), § 289–26–310, filed 10/12/84.]

WAC 289-26-320 Overcrowding. No prisoner shall be required to sleep on a mattress on the floor or directly on the floor. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-320, filed 10/12/84.]

WAC 289-26-400 Admissions. (1) Authorized confinement. No prisoner shall be confined without proper legal authority.

(2) Prisoner property. At the time of admission, if the prisoner's personal property is taken from him, authorized facility staff shall record and store such items, and issue the prisoner a receipt.

(3) Bedding and personal care items. At a reasonable time after admission to the facility, each prisoner shall be issued clean bedding, as well as such personal care items as required under WAC 289-26-780. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-400, filed 10/12/84.]

WAC 289-26-410 Low-risk classification. Special detention facilities shall primarily house low-risk, minimum custody sentenced prisoners, as determined by court order or written classification procedures consistent with WAC 289-16-130 (1) through (3). [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-410, filed 10/12/84.]

WAC 289-26-420 Orientation. (1) As soon after admission to the facility as possible each prisoner shall receive an oral or written orientation. The orientation shall provide information regarding the prisoner's confinement including, but not limited to:

(a) Rules of prisoner conduct, including possible disciplinary sanctions, as provided in WAC 289-26-620;

(b) Staff expectations of prisoner responsibilities, including, if applicable, cleaning of prisoner living areas;

(c) Prisoner rights and privileges;

(d) The means of access to health care as required by WAC 289-26-720;

(2) An opportunity to ask and receive answers to questions shall be provided within a reasonable time. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-420, filed 10/12/84.]

WAC 289-26-430 Classification/segregation criteria. To the extent possible in the available physical plant, the following classification criteria shall be used.

(1) Juvenile.

(a) No juvenile shall be held in a special detention facility without sight and sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been remanded to superior court jurisdiction: *Provided*, That no person under the chronological age of sixteen shall be held in a special detention facility in which adult prisoners are also being held.

(b) All governing units are advised of the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415) as amended by the Juvenile Justice Amendments of 1980 (Public Law 96-509) which provide that no juveniles be housed in adult detention facilities after 1985, denies certain federal funds to states which do not comply with these requirements, and directs that guidelines shall be established for meeting this requirement over the five-year period. WAC 289-26-430 (1)(b) ADVISORY.

(2) Female prisoners shall be segregated from visual and physical contact with male prisoners except under continual supervision of a staff person.

(3) Special problem prisoners who endanger the health or safety of other prisoners (or themselves) shall be segregated and closely supervised. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-430, filed 10/12/84.]

WAC 289-26-440 Good time. The director of the department of corrections or the chief law enforcement officer should develop written policies regarding time off for good behavior. Such policies should insure that good time, when authorized by sentencing courts, is given on a consistent basis, and in accordance with RCW 9.92.150 and 70.48.210. WAC 289-26-430 ADVISORY. (Not applicable – 72 hour) [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-440, filed 10/12/84.]

WAC 289-26-450 Release and transfer. (1) Release:

(a) The releasing officer shall determine prisoner identity and ascertain that there is legal authority for the release;

(b) The information required on the release forms shall be recorded for each prisoner released from the facility;

(c) All prisoners being released shall sign a witnessed receipt for personal property returned.

(2) Transfer. In addition to the release procedures designated in this section, the releasing officer shall determine that the receiving unit or person, if any, has the authority to accept custody. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-450, filed 10/12/84.]

WAC 289-26-460 Transportation. When special detention facility staff are responsible for prisoner transportation and when the prisoner is still in the custody and under the supervision of the facility, the department of corrections or chief law enforcement officer shall develop and maintain written instructions which insure the safety and security of the prisoners and staff. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-460, filed 10/12/84.]

WAC 289-26-500 Staffing. (1) General staffing. At all times at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance.

(2) Same sex staffing. A staff member of the same sex as the prisoner shall be available in a reasonable time for all custodial activities which involve intimate physical contact or activities which are commonly afforded reasonable protection against opposite sex observation or supervision except where the health, safety, and security of the individual or the staff member would be jeopardized: *Provided*, That personal observation of prisoners for this or other sections of these standards may be by opposite sex staff so long as opposite sex privacy concerns are given appropriate protection.

(3) Surveillance.

(a) Staff shall be available to respond face-to-face to any prisoner within three minutes.

(b) To ensure the welfare of the prisoner, staff shall personally observe each prisoner in the facility at least three times within an eight hour period. All prisoner checks shall be recorded in writing and retained in the facility records. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-500, filed 10/12/84.]

WAC 289-26-510 Supervision and surveillance. (1) Prisoner identification. All special detention facilities shall establish a means of identifying prisoners.

(2) Prisoner authority. No prisoner shall be permitted to have authority over other prisoners.

(3) Prisoner counts. In addition to staff observations a system shall be maintained for taking and recording the count of prisoners in the facility at least once during an eight-hour period.

(4) Contraband control. All special detention facilities shall establish and maintain a written procedure regarding searches of prisoners, visitors, and the facility to prevent the introduction of contraband. All special detention facilities which permit visiting shall post a sign displaying the penalty for the introduction of contraband. (RCW 9A.76.010, 9A.76.140, 9A.76.150, 9A.76.160.)

(5) Strip searches and body cavity searches of the prisoner shall conform to WAC 289-16-100 (5) through (9). [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-510, filed 10/12/84.]

WAC 289-26-520 Critical articles. (1) All special detention facilities shall ensure that weapons shall be inaccessible to prisoners at all times.

(2) Keys and locking devices.

(a) There shall be at least two sets of facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(b) Emergency keys shall be marked and placed where they may be quickly identified in case of an emergency.

(c) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or failure of the system. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-520, filed 10/12/84.]

WAC 289-26-600 Introduction. Where any disciplinary rules or sanctions exist, the facility must comply with the applicable provisions of this chapter, or with the rules and regulations of the state department of corrections regarding prisoners' rights, discipline and grievance procedures. Compliance with such rules and regulations of the department shall be deemed full compliance with this section and WAC 289-26-610 through 289-26-640. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-600, filed 10/12/84.]

WAC 289-26-610 Prisoner rights. Each special detention facility shall establish written policies and procedures regarding prisoner rights, available to prisoners, which shall include, but not be limited to access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment and freedom from discrimination based on race or sex. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-610, filed 10/12/84.]

WAC 289-26-620 Prisoner rules of conduct. (1) Rules established. No discipline shall be imposed except pursuant to written facility rules made available to prisoners. Reasonable efforts shall be made to inform non-English speaking prisoners of such rules.

(2) Prisoners informed. Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously within the facility.

(3) Major infractions. When discipline involving transfer from the facility, segregation or solitary confinement, or loss of good time is imposed for an infraction the following shall apply:

(a) Major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail record.

(b) Disciplinary committee.

(i) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees shall hear and decide all charges of major violation of facility rules and impose sanctions.

(ii) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. WAC 289-26-620 (3)(b)(ii) ADVISORY.

(iii) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge.

(c) Disciplinary procedures.

(i) Any charge pending against a prisoner shall be acted on as soon as possible and no later than seventy-two hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. Action in this context means a disciplinary hearing or decision not to impose any sanction requiring a hearing. Provided that a hearing may be postponed for good cause. Such postponements shall be approved by the chief law enforcement officer or director of corrections

or designee. The inmate shall be notified in writing of the postponement and the reason therefor.

(ii) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with subsection (3)(a) of this section. An inmate may waive this requirement in writing. If the prisoner is illiterate, the infraction report shall be read to him or her.

(iii) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(A) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(B) The prisoner shall be allowed to appear on his or her own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgments and the prisoner's record shall contain a statement with regard to such grounds;

(C) A prisoner who is unable to represent himself or herself in such a hearing shall be informed of his or her right to be assisted by another person in understanding and participating in the proceedings;

(D) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(E) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed procedures established by each facility and included in the printed rules.

(iv) All disciplinary proceedings shall be recorded.

(v) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-620, filed 10/12/84.]

WAC 289-26-630 **Discipline.** (1) Corrective action or forms of discipline.

(a) When punitive measures are imposed, such measures shall be in accordance with law and recommended sanctions, and appropriate to the severity of the infraction.

(b) Acceptable forms of discipline shall include, but not be limited to, the following:

(i) Loss of privileges;

(ii) Removal from work detail or other assignment;

(iii) Recommendation of forfeiture of "good time" credit;

(iv) Transfer to the maximum security or segregation section.

(2) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts, or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the facility unrelated to visitation. WAC 289-26-630 (2)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted as a disciplinary sanction.

(e) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. [Statutory Authority: RCW 70.48-.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-630, filed 10/12/84.]

WAC 289-26-640 **Grievance procedures.** The department of corrections or chief law enforcement officer for each special detention facility should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for notification of action taken regarding the grievance. WAC 289-26-640 ADVISORY. (Not applicable - 72 hour) [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-640, filed 10/12/84.]

WAC 289-26-700 **Written procedures for medical services.** (1) There shall be on file in the facility a written procedure which provides that necessary medical services will be provided twenty-four hours a day by one or more of the following:

(a) A licensed physician;

(b) A health care professional supervised by a licensed physician; or

(c) A hospital or clinic.

(2) Licensing and certifications. Medical services shall be provided only by licensed or certified health care providers. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-700, filed 10/12/84.]

WAC 289-26-705 **Health care policies and procedures.** Written standard operating procedures shall consist of but not be limited to the following:

(1) Admission screening;

(2) Nonemergency medical services;

(3) Deciding the emergency nature of illness or injury;

(4) First-aid;

(5) Notification of next of kin or legal guardian in case of serious illness, injury or death;

(6) Detoxification procedures; and

(7) Pharmaceuticals. [Statutory Authority: RCW 70-.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-705, filed 10/12/84.]

WAC 289-26-710 Health screening. Receiving screening shall be performed on all prisoners upon admission to the facility. If the results of receiving screening indicate a medical problem that may be detrimental to the health or safety of the prisoner, but is of a nonemergency nature, then the prisoner shall be seen within a reasonable time by a physician or nurse to determine the need for further diagnosis or treatment. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-710, filed 10/12/84.]

WAC 289-26-720 Access to health care. (1) Written procedures for gaining access to medical services shall be made available to each prisoner.

(2) Prisoner complaints of injury or illness, or staff observations of such shall be acted upon by staff as soon as reasonably possible. Prisoners shall be provided with medical diagnosis or treatment as necessary.

(3) Work release prisoners shall be allowed to see their own physician. WAC 289-26-720(3) ADVISORY.

(4) Emergency care:

(a) Standard first-aid kits shall be conveniently available to all jails.

(b) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

(i) Arrangements for the emergency evacuation of the prisoner from the special detention facility;

(ii) Arrangements for the use of an emergency medical vehicle;

(iii) Arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities;

(iv) Arrangements for emergency on-call physician and dentist services when an emergency health facility is not located in a nearby community;

(v) Arrangements for emergency mental illness care for prisoners. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-720, filed 10/12/84.]

WAC 289-26-730 Health care training. (1) Special detention facility personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall include but not be limited to:

(a) Awareness of potential medical emergency situations;

(b) Action to take on notification or observation that a medical emergency is in progress;

(c) First-aid and resuscitation;

(d) Call for help; and

(e) Transfer to appropriate medical provider.

(2) At least one person per shift shall have training in receiving screening.

(3) At least one person available per shift shall h training in basic life support cardiopulmonary resuscitation (CPR).

(4) All persons delivering medication shall be properly trained. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-730, filed 10/12/84.]

WAC 289-26-735 Public health. (1) Body vermin. Any person with body vermin shall be treated appropriately.

(2) Communicable diseases. Prisoners suspected of having a communicable disease detrimental to the health of the other prisoners shall be segregated. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-735, filed 10/12/84.]

WAC 289-26-740 Medications control. (1) If stock prescriptive medication is maintained within the special detention facility, standard operating procedures for the proper management of pharmaceuticals shall include:

(a) A formulary specifically developed for the facility. Such formulary shall be in accordance with WAC 360-16-070 (clinic dispensary);

(b) A policy that special detention facilities with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shal quire, as a minimum, a consulting pharmacist fo operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);

(2) The standard operating procedures for medication dispensing and administration shall include, but not be limited to, policies regarding:

(a) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(b) The medications system, which shall ensure that all medications shall be kept in containers which have been labeled securely and legibly by a pharmacist or the prescribing physician, or in their original container labeled by their manufacturer. Medications shall not be transferred from the original container except for the preparation of a dose administration;

(c) Safeguards with regard to delivery of medications to prisoners; and

(d) Disposition of unused medication(s).

(3) The standard operating procedures shall include a policy regarding the maximum security storage and weekly inventory of all controlled substances, prescription medication(s), and any syringes, needles and surgical instruments. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-740, filed 10/12/84.]

WAC 289-26-750 Health care records. (1) P file maintenance. Prisoner medical files shall cont receiving screening forms, notations of place, date and time of in-facility medical encounters and notation of

terminations of treatment from long term or serious medical/psychiatric treatment, if applicable. When treatment is given in the facility, the file shall contain notations of all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications.

(2) Prisoner file confidentiality.

(a) Medical records shall be maintained separately from other facility records to the extent necessary to protect their confidentiality.

(b) Except for medical emergencies or by court order medical records shall not be released to other persons or agencies without the written authorization of the prisoner.

(3) The responsible physician or medical care provider shall communicate information obtained in the course of examination and care to facility authorities when necessary for the protection of the welfare of the prisoner or other prisoners, management of the facility, or maintenance of facility security and order.

(4) The person delivering medications shall record the actual date and time of the delivery. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-750, filed 10/12/84.]

WAC 289-26-760 Special medical issues. (1) Informed consent. All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care.

(2) Special medical.

(a) Facility staff suspecting prisoner mental illness shall notify the appropriate mental health authorities.

(b) Appropriate medically supervised treatment in accordance with written procedures established under WAC 289-26-705 shall be given in the jail to prisoners determined to be mentally ill or under the influence of alcohol, opiates, barbiturates, and similar drugs when such care is not provided in a community health facility. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-760, filed 10/12/84.]

WAC 289-26-765 Access to facilities. (1) Each prisoner shall be permitted regular bathing (shower) at least twice each week. (Not applicable – 72 hour)

(2) Each prisoner shall have access to toilet, sink, drinking water, and adequate heat and ventilation. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-765, filed 10/12/84.]

WAC 289-26-770 Food. (1) Meal service. At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal.

(2) Nutritional and caloric intake.

(a) Meals shall be nutritious and provide for appropriate caloric intake.

(b) Menus shall be reviewed at least annually by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified. (Not applicable – 72 hour)

(c) Medically and dentally ordered diets shall be strictly observed. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-770, filed 10/12/84.]

WAC 289-26-780 Clothing, bedding and personal items. (1) Clothing.

(a) Provisions shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing.

(b) Each facility shall ensure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and socks are laundered and made available to them at least twice a week, or shall make laundry facilities available to residents. (Not applicable – 72 hour)

(2) Bedding. Prisoners shall be issued clean bedding within a reasonable time following admission to the facility. Bedding shall include, but not be limited to:

(a) A mattress which shall have a washable surface which shall be sanitized at least semi-annually or more often if needed;

(b) A mattress cover and one sheet, or two sheets, which shall be washed weekly or more often as needed, and always before reissue;

(c) A blanket which shall be washed at frequent intervals to maintain a clean condition, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner held in excess of six hours shall include, but not be limited to, soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items.

(b) Toothpaste, toothbrush and comb shall be provided for all prisoners held in excess of twelve hours. Such items shall be available for purchase or shall be issued as needed: *Provided*, That indigent prisoners shall have access to these minimum items without cost.

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede facility management or security. WAC 289-26-780 (3)(c) ADVISORY. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-780, filed 10/12/84.]

WAC 289-26-790 Sanitation. (1) General sanitation.

(a) All special detention facilities shall be kept in a clean and sanitary condition, free from any accumulation of matter detrimental to health.

(b) The housekeeping program shall include a daily general sanitation inspection and daily removal of trash and garbage. (Not applicable – 72 hour)

(c) Each prisoner shall clean his or her own living area daily.

(d) Insects and rodents shall be eliminated by safe and effective means.

(3) Laundry. Each facility shall arrange for adequate laundry services. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-790, filed 10/12/84.]

WAC 289-26-800 Services. (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each facility shall establish, maintain, and operate a commissary, provide prisoners with a list of approved items to be purchased at cost at least once a week at local stores, or provide alternative access to purchase of commissary type items. Available items shall include books, periodicals, and newspapers. (Not applicable – 72 hour)

(b) Proceeds from a special detention facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses.

(2) Special detention facilities shall permit prisoners to keep money on their persons, or shall maintain a cash account for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted.

(3) Basic hair care. Reasonable arrangements should be made to provide basic hair care. WAC 289-26-800(3) ADVISORY. (Not applicable – 72 hour)

(4) Reading materials. Each special detention facility should provide for reading materials and library services. WAC 289-26-800 (4) ADVISORY.

(5) Legal assistance.

(a) Special detention facilities shall permit access to professional legal assistance or necessary law books and reference materials for purposes of preparing and filing legal papers. (Not applicable – 72 hour)

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers. (Not applicable – 72 hour)

(6) Religious services.

(a) Upon reasonable request from a prisoner, the facility staff shall permit confidential religious consultation. (72 hour – WAC 289-22-800 (6)(a) ADVISORY.)

(b) Special detention facilities with an average daily population of twenty-five or more prisoners who cannot leave the facility for religious services should arrange for weekly religious services. WAC 289-26-800 (6)(b) ADVISORY. (Not applicable – 72 hour)

(c) Prisoners shall be permitted to observe religious holidays and receive sacraments of their faith. WAC 289-26-800 (6)(c) ADVISORY. (Not applicable – 72 hour)

(d) Attendance at religious services shall be voluntary.

(7) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in special detention facilities with an opportunity to discuss their problems. (Not applicable – 72 hour) WAC 289-26-800 (7)(a) ADVISORY.

(b) The special detention facility should utilize volunteer counseling resources available in the community. (Not applicable – 72 hour) WAC 289-26-800 (7)(b) ADVISORY. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-800, filed 10/12/84.]

WAC 289-26-810 Programs. (1) Prisoners held over thirty days, who are not authorized to leave the facility, at least five days per week, or forty hours per week, shall have the opportunity for inside and outside exercise.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. WAC 289-26-810(2) ADVISORY.

(3) Education or training programs. The special detention facility should allow the prisoner to contact or be contacted by community representative of education or training programs, and should permit participation in such programs where this is allowed under the terms of the prisoner's sentence. WAC 289-26-810(4) ADVISORY.

(4) Leisure time activity programs. Special detention facilities should provide opportunities for all prisoners to participate in leisure time activities, inside or outside the facility. WAC 289-26-810(5) ADVISORY. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-810, filed 10/12/84.]

WAC 289-26-900 Telephone usage. (1) Prisoners shall have reasonable access to telephones. Usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner. (Not applicable – 72 hour)

(2) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls. (Not applicable – 72 hou

(3) Appropriate protection of access to an att shall be maintained for prisoners without funds. Established social telephone usage shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative. (Not applicable – 72 hour)

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order. Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours. (Not applicable – 72 hour) [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-900, filed 10/12/84.]

WAC 289-26-910 Mail. (1) Publications.

(a) Prisoners shall generally be permitted to receive such mail, books, newspapers, periodicals and other printed materials or photographs as are lawfully delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in facility security or the welfare of prisoners or staff. (Not applicable – 72 hour)

(b) If such materials are withheld from a prisoner, the facility shall comply with WAC 289-24-110 (1) regarding appeal from withholding of publicatio

(2) Correspondence.

(a) Incoming or outgoing mail shall be retained no more than one business day. (Not applicable – 72 hour)

(b) Prisoners shall be permitted to mail any number of letters, including letters to attorneys, the courts and elected officials. Prisoners without funds shall be permitted to mail up to three letters per calendar week at the expense of the facility: *Provided*, That no limit may be set to the number of letters sent to the prisoner's attorney or the courts. (Not applicable – 72 hour)

(c) No restrictions shall be placed on the number of letters a prisoner may receive or of classes of persons with whom he or she may correspond, except by court order or pursuant to the procedures specified in WAC 289-24-110 (2)(c). (Not applicable – 72 hour)

(d) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash and checks, and may be perused for content when the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the contents of a letter may present a clear and present danger to facility security, or violates state or federal law. Whenever mail is not delivered by the jail staff directly to the prisoner to whom it is addressed, it shall be resealed.

(e) Except by court order, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to facility security or violates state or federal law. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-910, filed 10/12/84.]

WAC 289-26-920 Visitation. (1) Contact visitation shall be provided within the facility for each prisoner unless the prisoner is permitted to visit with others away from the facility. (Not applicable – 72 hour)

(2) Special detention facilities may, if authorized by legal authority, permit prisoners to leave the facility for the purpose of: Medical/dental treatment, attend to civil or legal matters, or to conduct business and to participate in activities related to their approved program. Authorization to leave the facility shall be governed by written policy and procedures. (WAC 289-26-920(2) ADVISORY)

(3) Business and professional visits. Each prisoner shall be allowed confidential visits from his or her attorney or legal assistants, his or her pastor and business, educational and law enforcement professional at reasonable hours.

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include, but not be limited to:

(i) An attempt, or reasonable suspicion of an attempt, to bring contraband into the facility.

(ii) Obvious influence or effect of alcohol or controlled substances.

(iii) Request from the prisoner's physician.

(iv) Request from the prisoner.

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security, or management, or to the welfare of prisoners, staff, or visitors.

(d) If a visitor is refused admittance during regular visiting hours:

(i) The prisoner shall receive notice of the refusal stating the reasons therefor.

(ii) The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body or the facility administrator upon written request and shall be promptly informed of this right.

(iii) A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-26-920, filed 10/12/84.]

Chapter 289-28 WAC
CUSTODIAL CARE STANDARDS FOR WORK RELEASE FACILITIES

WAC

289-28-100	Applicability.
289-28-200	Eligibility for work release.
289-28-210	Orientation.
289-28-220	Transportation.
289-28-230	Employment restrictions.
289-28-300	Prisoner money accounts.
289-28-400	Accountability for prisoners.
289-28-410	Searches.

WAC 289-28-100 Applicability. Work release facilities shall comply with the standards in chapter 289-28 WAC, the standards in chapter 289-26 WAC (Custodial care standards for special detention facilities) and the standards in chapter 289-10 WAC (Physical plant standards for special detention facilities). [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-100, filed 10/12/84.]

WAC 289-28-200 Eligibility for work release. (1) Prisoners may be eligible for work release by court order pursuant to RCW 70.48.210(3).

(2) When the chief law enforcement officer (or director of corrections) or designee recommends a prisoner for work release this shall be pursuant to written criteria, which consider at a minimum the prisoner's good conduct and the security risk that he or she presents. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-200, filed 10/12/84.]

WAC 289-28-210 Orientation. A written agreement which specifies the rules and conditions of work release program eligibility shall be signed by each prisoner and witnessed by staff signature. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-210, filed 10/12/84.]

WAC 289-28-220 Transportation. The use of personal automobiles shall be governed by written policy which shall ensure that the prisoner has a valid Washington state driver's license and minimum liability insurance coverage. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-220, filed 10/12/84.]

WAC 289-28-230 Employment restrictions. Work release facilities shall comply with RCW 70.48.210 (3)(b), prohibiting work release prisoners from working in an establishment where there is a labor dispute. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-230, filed 10/12/84.]

WAC 289-28-300 Prisoner money accounts. (1) The accounting system for prisoner money shall be described by written policy and procedure, which shall be available to prisoners. All deposits, payments, and expenditures shall be recorded and receipted.

(2) The chief law enforcement officer (or director of corrections) or designee shall collect the work release prisoner's earnings and from the earnings make payments for the prisoner's board, personal expenses inside and outside the facility, and share of the administrative expenses, as required by RCW 70.48.210 (3)(d).

(3) Support payments for the prisoner's dependents, if any, shall be made as directed by the court.

(4) With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. Consent to payment of restitution may be imposed as a condition of work release when authorized or required by court order. Any balance shall be retained and paid to the prisoner when the prisoner is discharged. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-300, filed 10/12/84.]

WAC 289-28-400 Accountability for prisoners. (1) The work release prisoner shall be confined in a work release facility or jail whenever the prisoner is not employed and between the hours of employment unless the court directs otherwise.

(2) A current written schedule of the times during which prisoners are authorized to be absent from the facility shall be maintained.

(3) To ensure strict accountability, as to the whereabouts of each prisoner, the facility shall have a sign-in/sign-out sheet recording the date and time of departure and expected return, destination, reason for leaving the facility and time of actual return. Each entry shall be initialed by the responsible staff on duty.

(4) The facility shall establish and follow written policies and procedures to verify attendance of prisoners at the place for which absence from the facility is authorized. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-28-400, filed 10/12/84.]

WAC 289-28-410 Searches. (1) Prisoners shall be subject to search each time they enter or leave the facility.

(2) The facility shall have written policies and procedures regarding the use of breathalizers, urine analysis, and other means to detect the use of alcohol or unauthorized drugs. [Statutory Authority: RCW 70.48.050

Corrections Standards Board

CUSTODIAL CARE STANDARDS FOR HOLDING, DETENTION AND CORRECTIONAL FACILITIES

Incorporating All Additions And Amendments Through September, 1986

CHAPTER 289-02 WAC
INTRODUCTION AND DEFINITIONS

CHAPTER 289-14 through CHAPTER 289-24 WAC
CUSTODIAL CARE STANDARDS
(Holding, Detention and Corrections)

Chapter 289-14 WAC
CUSTODIAL CARE STANDARDS—ADMINISTRATION

WAC

289-14-005	Introduction to custodial care standards.
289-14-010	Emergency suspension of custodial care standards.
289-14-100	General administration. (Holding facilities.)
289-14-120	Training. (Holding facilities.)
289-14-130	Records. (Holding facilities.)
289-14-200	General administration. (Detention and correctional facilities.)
289-14-210	Determination of staff positions. (Detention and correctional facilities.)
289-14-220	Training. (Detention and correctional facilities.)
289-14-230	Records. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-14-020	Staffing. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-14-030	Records. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-14-005 Introduction to custodial care standards. (1) The provisions of chapters 289-14 through 289-24 WAC incorporate custodial care standards applicable to holding, detention or correctional facilities as defined under WAC 289-02-020. Each standard is mandatory for the classification to which it applies unless specifically labeled as advisory or not applicable.

(2) Within each chapter, paragraphs numbered from 010 to 099 are introductory or definitional in nature and apply to all jails unless otherwise noted. Paragraphs numbered from 100 to 199 apply to holding facilities. Paragraphs numbered from 200 to 299 apply to detention and correctional facilities unless otherwise noted. For this purpose, "holding" and "detention" and "correctional" facilities are defined as set forth in WAC 289-02-020. For purposes of the holding facility standards, a distinction is made between different maximum time periods persons are held within such facility, including thirty-day facility, seventy-two hour facility, and six-hour facility.

(3) The adoption of the mandatory custodial care standards is intended to meet minimum legal requirements relating to prisoner health, welfare, and security and does not preclude the adoption of more stringent requirements not in conflict with such standards by the governing authority, chief law enforcement officer, or department of corrections responsible for a particular jail. [Statutory Authority: Chapter 70.48 RCW. 81-08-14 (Order 13), § 289-14-005, filed 3/24/81. 81-07-57 (Order 10), § 289-14-005, filed 3/18/81. Statutory Authority: Chapter 70.48 RCW and 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-14-005, filed 11/28/79. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-005, filed 6/27/79.]

WAC 289-14-010 Emergency suspension of custodial care standards. Nothing in these standards shall be construed to deny the power of any department of corrections or chief law enforcement officer to temporarily suspend any standard herein prescribed in the event of any emergency which threatens the safety or security of any jail, prisoners, staff, or the public. Only such standards as are directly affected by the emergency may be suspended and the department of corrections or chief law enforcement officer shall notify the state jail commission within three business days of such suspension: *Provided*, That suspension of standards relating to overcrowding is subject to the additional requirements of WAC 289-15-120 and 289-15-220. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-010, filed 3/18/81. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-010, filed 6/27/79.]

WAC 289-14-100 General administration. (Holding facilities.) There shall be written policies and procedures which shall be made available to each authorized person who is responsible for the confinement of a prisoner in the facility. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-100, filed 3/24/81.]

WAC 289-14-120 Training. (Holding facilities.) (1) All authorized persons responsible for the confinement of a prisoner shall receive an orientation to the policies and procedures of the facility relative to their duties. On the job training shall be provided as deemed appropriate by the chief law enforcement officer.

(2) All jail staff whose primary responsibility is the supervision of prisoners shall successfully complete the Washington state criminal justice training commission basic correctional academy within the first year of their employment unless such training has already been received. (30 day) (Not applicable – 72 hour, 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-120, filed 3/24/81.]

WAC 289-14-130 Records. (Holding facilities.) (1) Confidentiality. All holding facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(2) Individual prisoner records.

(a) An individual file or record shall be kept for each prisoner.

(b) If formal booking occurs in the facility, the information should be recorded on a booking form. WAC 289-14-130 (2)(b) ADVISORY

(3) Medical.

(a) Any prisoner medical information other than that included in the prisoner's individual file under WAC 289-14-130 (2)(a) shall be maintained separately to the extent necessary to maintain confidentiality. (30 day, 72 hour) (Not applicable - 6 hour)

(b) Any medical problems experienced by a prisoner while in the facility shall be recorded and such records maintained. Information concerning medical problems shall be transmitted at the time the prisoner is transported to another jail, hospital, or other facility.

(4) Prisoner population accounting. Each holding facility shall keep a jail register as required by RCW 70.48.100.

(5) Infraction and disciplinary. Written records shall be maintained for all incidents which result in major property damage or bodily harm.

(6) Incident reports. The jail commission shall be notified within seven business days of any death, completed escape from the secure area of the facility or serious fire. Reports of such incidents shall be retained.

(7) Activity log. A log of daily activity should be kept within the facility. WAC 289-14-130(7) ADVISORY

(8) Personnel. Performance and training records should be maintained for each staff member employed by the facility. WAC 289-14-130(8) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-130, filed 3/24/81.]

WAC 289-14-200 General administration. (Detention and correctional facilities.) (1) The department of corrections or the chief law enforcement officer of all jails shall develop and maintain an organizational chart and an operations manual of policies and procedures.

(2) Such chart and manual shall be reviewed by all staff and such review noted by signature prior to any assignment.

(3) All jail policies and procedures should be reviewed and revised as appropriate on a continuing basis but at least yearly. WAC 289-14-200(3) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-200, filed 3/18/81.]

WAC 289-14-210 Determination of staff positions. (Detention and correctional facilities.) (1) Written job descriptions shall define the responsibilities and designate the qualifications for each staff position.

(2) Qualifications for correctional officers who have direct responsibility over prisoners and who are hired on or after the effective date of these minimum standards shall include, but not be limited to, a high school diploma, or equivalent.

(3) All jail staff shall be selected in accordance with chapter 41.14 RCW and/or other applicable legal requirements and shall be retained upon proven ability to perform.

(4) Appropriate physical fitness standards should be set and enforced for all jail staff. WAC 289-14-210(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-210, filed 3/18/81.]

WAC 289-14-220 Training. (Detention and correctional facilities.) (1) All jails shall provide preservice orientation to each newly hired jail staff member prior to being assigned to duty, regardless of his or her previous training or experience prior to the assignment of any jail duties. Such training may be provided either by existing jail staff or other qualified persons, and must be verified by a written outline, and shall include, but not necessarily be limited to:

(a) Review and understanding of all policies and procedures relating to his/her job responsibilities, specifically:

(i) Agency organization;

(ii) Admission and release procedures;

(iii) Security and safety procedures;

(iv) Contraband control, definition of, etc.;

(v) Prisoner discipline;

(vi) Medical and mental health procedures;

(vii) Use of force;

(viii) Confidentiality of jail records (RCW 70.48.100(2)).

(b) Review of the Washington criminal justice system and the current Washington state jail commission custodial care standards as they relate to jail duties.

(c) Identification and understanding of the function of agencies whose authority may extend to the jail's prisoners.

(d) Appropriate training and qualification in th of weapons when jail duties include possession or carrying of a firearm.

(2) All persons directly responsible for the supervision of prisoners shall successfully complete the Washington state criminal justice training commission basic correctional academy within the first year of their employment, as required by WAC 139-36-010 unless such training has already been received.

(3) Staff training shall further include such training as required by WAC 289-20-230.

(4) All jails should provide at least twenty hours of in-service training to each correctional officer each year (following academy training for purposes of updating training previously received). WAC 289-14-220(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-220, filed 3/18/81.]

WAC 289-14-230 Records. (Detention and correctional facilities.) The department of corrections or chief law enforcement officer for each jail shall establish a records system which shall comply with the requirements of this section.

(1) Fiscal. Each detention and correctional facility shall maintain fiscal records which clearly indicate facility operation and maintenance costs according to generally accepted accounting principles. Such records sh separate specific jail functions from other depar functions.

(2) Confidentiality. All jail facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(3) Individual prisoner records. The information required by the booking and release form provided by the commission shall be obtained for each booking and release. Such information as prescribed by the commission will be retained in written form or within computer records. Other information retained in each prisoner's jail record shall include, but not be limited to, court orders, personal property receipts, infraction reports, reports of disciplinary actions and/or unusual occurrences, and, in case of death, disposition of prisoner's property and remains.

(a) Medical. Health care records shall be maintained separately in accordance with WAC 289-20-250 to the extent necessary to maintain their confidentiality.

(b) Prisoner access. Each prisoner shall be permitted reasonable access to his jail record, or reasonable access to information contained therein. Provided that such access may be limited only on substantial grounds of institutional security.

(c) Transfer. When a prisoner is transferred to another facility, copies or summaries of all health records shall be transferred to the receiving facility, provided that the requirements of WAC 289-20-250 regarding confidentiality are followed. Applicable court orders shall be transferred. Summaries or copies of disciplinary records shall be transferred where such information may serve a substantial governmental interest in the safety or security of the receiving institution.

(4) Population reports. Each jail shall complete and submit monthly reports on its population on forms provided by the jail commission.

(5) Population accounting. Each jail should, in addition, maintain an ongoing and a permanent accounting of its population by its own confinement categories, location, or classification within the jail. WAC 289-14-230(5) ADVISORY.

(6) Jail register. Each jail shall maintain an accurate jail register as required by RCW 70.48.100.

(7) Infraction and disciplinary. Each department of corrections or chief law enforcement officer shall maintain a written record of all incidents which result in substantial property damage or bodily harm, or serious threat of substantial property damage or bodily harm. Major infraction reports and disciplinary actions under chapter 289-16 WAC shall become part of the prisoner's jail record.

(8) Incidents and emergencies. All serious incidents and emergencies shall be recorded on forms provided by the commission. For purposes of this section, the term "serious incidents and emergencies" includes, but is not limited to any death which occurs within a jail, attempted suicides, epidemics, completed escapes, any completed assault upon staff or prisoners, serious fires, flooding or other natural disasters or riots.

(9) Incident reports. An incident report on any death, completed escape, or serious fire shall be submitted to the jail commission on the form provided by the commission. All such incident reports for a given month shall be submitted on a monthly basis with the monthly population accounting form. A copy of all incident reports shall be retained at the jail.

(10) Activity log. All jails should keep a log of daily activity within the facility for future accountability. WAC 289-14-230(10) ADVISORY.

(11) Personnel training. Training records shall be maintained for each staff member employed by a detention or correctional facility.

(12) Personnel performance. Performance records should be maintained for each staff member employed by a detention or correctional facility. WAC 289-14-230(12) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-230, filed 3/18/81.]

Chapter 289-15 WAC
CUSTODIAL CARE STANDARDS--SAFETY

WAC

289-15-100	Emergency procedures. (Holding facilities.)
289-15-110	Fire prevention and suppression. (Holding facilities.)
289-15-120	Overcrowding. (Holding facilities.)
289-15-130	Use of force. (Holding facilities.)
289-15-200	Emergency procedures. (Detention and correctional facilities.)
289-15-210	Fire prevention and suppression. (Detention and correctional facilities.)
289-15-220	Overcrowding. (Detention and correctional facilities.)
289-15-225	Maximum capacities.
289-15-230	Use of force. (Detention and correctional facility.)

WAC 289-15-100 Emergency procedures. (Holding facilities.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written emergency procedures as appropriate for the specific facility.

(2) The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility.

(3) Emergency plans shall always be available to the authorized person in charge of the jail.

(4) All personnel should be trained in the emergency procedures. WAC 289-15-100(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-100, filed 3/24/81.]

WAC 289-15-110 Fire prevention and suppression. (Holding facilities.) The department of corrections or chief law enforcement officer shall establish and maintain a written fire prevention, suppression, and evacuation plan. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-110, filed 3/24/81.]

WAC 289-15-120 Overcrowding. (Holding facilities.) No prisoner shall be required to sleep on a mattress on the floor in excess of seventy-two hours, or directly on the floor for any period of time, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others, or substantially compromising the security of the jail. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-120, filed 3/24/81.]

WAC 289-15-130 Use of force. (Holding facilities.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written policies and procedures regarding the use of force and the use of deadly force, which shall be consistent with this section.

(2) Only lawful and reasonable force to the person of a prisoner shall be used.

(3) Deadly force shall not be used on a prisoner unless the person applying the deadly force reasonably believes that the prisoner poses an immediate threat of death or grievous physical injury to an officer or employee of a jail or any other person, or to prevent the escape of a prisoner arrested for a felony, and the officer reasonably believes that other reasonable and available alternatives would be ineffective.

(4) A written report on the use of force or deadly force shall be made. In the case of deadly force a written report shall be made by each staff member involved or observing the use of such deadly force. The report(s) on the use of deadly force shall be reviewed by the chief law enforcement officer or department of corrections or his designee who shall, if appropriate, investigate the incident further and make a determination whether appropriate, justified or reasonable force was used. Said determination shall be made a matter of record.

(5) The "carotid sleeper hold" means any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck without inhibiting breathing by compression of the airway in the neck and without compression of the larynx or trachea. The carotid sleeper hold shall be considered to be deadly force.

(6) The "choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck. The choke hold shall be considered to be deadly force.

(7) The carotid sleeper hold generally presents less danger of causing serious injury or death than the choke hold and therefore is generally preferred over the choke hold in situations where such holds are permissible.

(8) No neck hold shall be used, except by persons instructed in the dangers of the neck holds, its definition as deadly force, and the proper use and constraints of the carotid sleeper hold, by someone specifically trained in the use and dangers of neck holds. Refresher training shall be provided on at least an annual basis.

(9) Medical attention shall be administered to the prisoner by a qualified medical professional as soon as possible after the use of the carotid sleeper hold or the choke hold. [Statutory Authority: RCW 70.48.050 (3)(c). 84-16-042 (Order 84-02), § 289-15-130, filed 7/27/84. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-130, filed 3/24/81.]

WAC 289-15-200 Emergency procedures. (Detention and correctional facilities.) (1) The department of corrections or the chief law enforcement officer shall formulate written emergency procedures relative to escapes, riots, rebellions, assaults, injuries, suicides or attempted suicides, outbreak of infectious disease, fire, acts of nature, and any other type of major disaster or

disturbance. The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility. Such plan shall be formulated in cooperation with the appropriate supporting local government units.

(2) Emergency plans shall always be available to the officer in charge of the jail, and all personnel shall be aware of, and trained in, the procedures. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-200, filed 3/18/81.]

WAC 289-15-210 Fire prevention and suppression. (Detention and correctional facilities.) (1) The department of corrections or chief law enforcement officer shall consult with the local fire department having jurisdiction over the facility in developing a written fire prevention and suppression plan which shall include, but not be limited to:

(a) A fire prevention plan to be part of the operations manual of policies and procedures;

(b) A requirement that staff are alert to fire hazards during their daily rounds.

(c) Fire prevention inspections at least semi-annually by the fire department having jurisdiction; provided, that when such inspections cannot be obtained from such fire department the facility shall provide such inspections by an independent, qualified source.

(d) Recommendations resulting from inspections should be promptly implemented WAC 289-15-210 (1)(d) ADVISORY; and

(e) A regular schedule for inspections, testing and servicing fire suppression equipment.

(2) Results of all fire department inspections shall be kept on file at the jail, together with records of actions taken to comply with recommendations from such reports. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-15-210, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-210, filed 3/18/81.]

WAC 289-15-220 Overcrowding. (Detention and correctional facilities.) (1) Purpose. The purpose of this section is to provide a means for determining and setting maximum population figures for local detention and correctional facilities. In so doing, the commission recognizes that each facility is unique and that the establishment of rigid criteria for defining and identifying overcrowding in most existing facilities would be unworkable. However, overcrowding remains a concern of constitutional dimensions within local jails and must be addressed. It is the purpose of these standards to provide a firm approach to preventing overcrowding in new jail facilities and to create a workable and flexible process for addressing overcrowding in existing jails.

(2) No prisoner shall be required to sleep directly on the floor for any length of time, or on a mattress on the floor in excess of one 72-hour period, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others or substantially compromising the security of the jail.

(3) Existing jails. (a) The director of the local department of corrections or chief law enforcement officer shall propose a maximum capacity for each detention or correctional facility within his or her jurisdiction. This capacity shall reflect a judgment as to the maximum number of prisoners who may be housed within the facility in question in a humane fashion. Notice of such proposed maximum capacity shall be delivered to the state jail commission within 30 days of the final adoption of this revision to this standard. The proposed maximum capacity shall be the maximum capacity of the facility unless revised by the commission.

(b) Within 45 days of the receipt by the jail commission of notice of a proposed maximum capacity for a given facility, the commission shall schedule a public meeting to concur in or revise those capacity figures, pursuant to RCW 34.04.025 through 34.04.058. A written notice of such meeting shall be provided by the director to all known interested parties at least 20 days in advance of such meeting. It shall be the responsibility of the jail commission to establish cause for revising the maximum capacities proposed by the governing unit in question. The commission's concurrence in or revision of proposed maximum capacities shall take into account a detailed analysis of the following factors:

(i) The average amount of cell and day room space which would be available to each prisoner at maximum capacity;

(ii) The number of hours each day prisoners in area have access to day rooms;

(iii) If the day room access is less than 12 hours each day, the amount of space per prisoner in the cell area;

(iv) The classification and types of prisoners held;

(v) The average length of stay of prisoners held;

(vi) The maximum length of actual stay of prisoners held;

(vii) The nature and amount of physical exercise available to prisoners;

(viii) The amount of access to visitation;

(ix) The amount of other out-of-living area time available to prisoners;

(x) Description of other services and programs available to prisoners, especially those covered by custodial care standards; and

(xi) The number of incidents occurring in the jail in the previous 12 months, classified by the categories of the population accounting form.

(c) In appropriate cases, the commission may establish a maximum capacity figure for an existing jail on an interim basis, when further study as to the circumstances appears necessary to make a final decision, in which case a date no more than six months in the future, shall be specified for a final determination with regard to maximum capacity.

(4) New facilities. The commission shall estab[illegible] maximum capacity for each newly constructed c[illegible] or correctional facility which is funded at the [illegible]

fundable capacity set by the commission. Such maximum capacity shall be based upon the physical plant standards set forth in chapter 289-12 WAC.

(5) Overcrowding. (a) The maximum capacity may only be exceeded to the extent that the average daily population for any calendar month does not exceed the established maximum capacity.

(b) Any holding of prisoners beyond the established maximum capacity in a given calendar month, shall be reported by mailing the monthly population accounting form to the director by the department of corrections or chief law enforcement officer within the first five business days following the month. Each such case [or] [of] overcrowding shall be referred to the commission for possible enforcement action under chapter 289-30 WAC.

(c) Any report of conditions of overcrowding required under this section shall be considered as a notice of an emergency suspension of standards within the meaning of WAC 289-14-010.

(d) An emergency suspension of the overcrowding standard established under this section must be approved by the director.

(e) No emergency suspension of the standards relative to established maximum capacities within any calendar month shall be approved except when the following conditions are met:

(i) Any related suspension of other custodial care standards is also specifically approved;

(ii) All existing diversion programs have been fully utilized;

(iii) All prisoners being held for other jurisdictions have been transferred to those jurisdictions to the extent possible;

(iv) All facilities within adjacent counties have been utilized to the fullest extent reasonably practical and permissible by their classifications; and

(v) The jurisdiction provides the commission within 45 days with a plan setting forth alternatives to incarceration which will be examined and implemented.

(f) Each department of corrections or chief law enforcement officer shall establish, with the cooperation of the presiding judge of the superior court, a procedure for release of prisoners before the end of their term when overcrowding occurs as herein defined.

(g) In the event of overcrowding caused in part by the existence of state prisoners, the director shall contact the state department of corrections in an effort to have such prisoners removed.

(h) In the event of overcrowding caused in part by the existence of federal prisoners, the director shall contact the appropriate federal agency in an effort to have such prisoners removed. [Statutory Authority: Chapter 70.48 RCW. 82-01-091 (Order 21), § 289-15-220, filed 12/22/81; 81-08-001 (Order 12), § 289-15-220, filed 3/19/81.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 289-15-225 Maximum capacities. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities	Correctional Facilities
Auburn (22)	Benton County (109)
Bremerton (23)	Chelan County (117)
Forks (11)	Clallam County (102)
Issaquah (6)	Clark County (300)
Olympia (temporary) (19)	Cowlitz County (91)
Stevens County (22)	Ferry County (22)
	Franklin County (76)
	Grant County (54)
	Grays Harbor County (74)
	Island County (29)
	Jefferson County (18)
	Kent (20)
	King County (1038)
	Kitsap County (103)
	Kitsap County Work Release (42)
	Kittitas County (45)
	Klickitat County (30)
	Lewis County (62)
	Lincoln County (8)
	Mason County (34)
	Okanogan County (67)
	Pacific County (14)
	Pend Oreille County (18)
	Pierce County (359)
	Skagit County (83)
	Skamania County (17)
	Snohomish County (116)
	Snohomish County Work Release (60)
	Spokane County (352)
	Thurston County (94)
	Walla Walla County (44)
	Whatcom County (82)
	Whitman County (34)
	Yakima County (274)

[Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070. 85-01-034 (Resolution No. 84-52), § 289-15-225, filed 12/12/84. Statutory Authority: RCW 70.48.050 (1)(c). 84-16-041 (Order 84-01), § 289-15-225, filed 7/27/84. Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070(4). 83-20-092 (Order 34), § 289-15-225, filed 10/5/83; 83-04-004 (Order 32), § 289-15-225, filed 1/21/83; 82-11-070 (Order 28), § 289-15-225, filed 5/17/82.]

WAC 289-15-230 Use of force. (Detention and correctional facility.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written policies and procedures regarding the use of force and the use of deadly force, which shall be consistent with this section.

(2) Only lawful and reasonable force to the person of a prisoner shall be used.

(3) Deadly force shall not be used on a prisoner unless the person applying the deadly force reasonably believes that the prisoner poses an immediate threat of death or grievous physical injury to an officer or employee of a jail or any other person, or to prevent the escape of a prisoner arrested for a felony, and that the officer reasonably believes that other reasonable and available alternatives would be ineffective.

(4) A written report on the use of such force or deadly ce shall be made. In the case of deadly force a written port shall be made by each staff member involved or serving the use of such deadly force. The report(s) all be reviewed by the chief law enforcement officer or partment of corrections or his designee who shall, if propriate, investigate the incident further and make a termination whether appropriate, justified or reason- ble force was used. Said determination shall be made a atter of record.

(5) The "carotid sleeper hold" means any hold or re- straint specifically designed to inhibit blood flow through the carotid arteries of the neck without inhibiting breathing by compression of the airway in the neck and without compression of the larynx or trachea. The caro- tid sleeper hold shall be considered to be deadly force.

(6) The "choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck. The choke hold shall be con- sidered to be deadly force.

(7) The carotid sleeper hold generally presents less danger of causing serious injury or death than the choke hold and therefore is generally preferred over the choke hold in situations where such holds are permissible.

(8) No neck hold shall be used, except by persons in- structed in the dangers of the neck holds, its definition as deadly force, and the proper use and constraints of the carotid sleeper hold, by someone specifically trained in the use and dangers of neck holds. Refresher training shall be provided on at least an annual basis.

(9) Medical attention shall be administered to the prisoner by a qualified medical professional as soon as possible after the use of the carotid sleeper hold or the choke hold. [Statutory Authority: RCW 70.48.050 (3)(c). 84-16-042 (Order 84-02), § 289-15-230, filed 7/27/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-230, filed 3/18/81.]

Chapter 289-16 WAC
CUSTODIAL CARE STANDARDS--OPERATIONS

WAC

289-16-100	Admissions. (Holding facilities.)
289-16-110	Preclassification procedures. (Holding facilities.)
289-16-120	Orientation. (Holding facilities.)
289-16-130	Classification/segregation. (Holding facilities.)
289-16-140	Good time. (Holding facilities.)
289-16-150	Release and transfer. (Holding facilities.)
289-16-160	Transportation. (Holding facilities.)
289-16-200	Admissions. (Detention and correctional facilities.)
289-16-210	Preclassification procedures. (Detention and correctional facilities.)
289-16-220	Orientation. (Detention and correctional facilities.)
289-16-230	Classification/segregation. (Detention and correctional facilities.)
289-16-240	Good time. (Detention and correctional facilities.)
289-16-250	Release and transfer. (Detention and correctional facilities.)
289-16-260	Transportation. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-16-010	Admissions. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-020	Classification/segregation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-030	Release and transfer. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-040	Transportation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-16-100 Admissions. (Holding facilities.) (1) Authorized confinement. No prisoner shall be confined without proper legal authority.

(2) Telephone. Each prisoner, within a reasonable period of time after completion of booking, shall be advised of his right to, and be allowed to complete, at least two local or collect calls to persons of his choice who may be able to come to his assistance. If the prisoner chooses not to place the calls allowed, this information shall be noted on the booking form: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(3) Language problems. Reasonable provisions for communication with non-English speaking, handicapped and illiterate prisoners shall be provided.

(4) Booking process. The booking process shall be completed promptly unless extenuating circumstances necessitate delay.

(5) Search/examination, when allowed.

(a) The department of corrections or chief law enforcement officer shall establish and maintain written policies and procedures regarding pat searches, strip searches, and body cavity searches, which shall be consistent with this section.

(b) Each prisoner shall be searched for contraband in a manner consistent with this subsection and written policies and procedures established thereunder, as necessary to protect the safety of prisoners, staff, and institutional security.

(c) No strip search shall be conducted except pursuant to the written policies and procedures required by (a) of this subsection.

(d) No strip search shall be conducted prior to the prisoner's first court appearance unless there is reasonable suspicion that the person has on his or her person evidence of a crime, contraband, fruits of a crime, things otherwise criminally possessed, a weapon, or other things by means of which a crime has been or reasonably appears about to be committed. Reasonable suspicion shall be deemed to be present when a prisoner has been arrested for:

(i) A violent offense as defined in RCW 9.94A.030(17) or any successor statute;

(ii) An offense involving escape, burglary, or the use of a deadly weapon; or

(iii) An offense involving possession of a drug or controlled substance under chapter 69.50 RCW or any successor statute.

No strip search shall be authorized or conducted in these cases unless a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, where appropriate, do not satisfy the safety, security or evidentiary concerns of the jail.

(e) A written record or records of any strip search shall be maintained in the individual file of each person strip searched, which record(s) shall contain the following information:

(i) The name and serial number of the officer conducting the strip search and of all others present or observing any part of the strip search;

(ii) The time, date, and place of the strip search; and

(iii) Any weapons, criminal evidence, other contraband, or health condition discovered as a result of the strip search.

Except where reasonable suspicion is deemed present because of the nature of the arrest offense, this report or these reports shall also contain:

(iv) The name of the supervisor authorizing the strip search; and

(v) The specific facts constituting reasonable suspicion to believe the strip search was necessary.

(f) No body cavity search shall be conducted except pursuant to a valid search warrant. No search warrant for a body cavity search shall be sought without prior authorization of the ranking shift supervisor, pursuant to the written policies and procedures required by (a) of this subsection. Before any body cavity search is authorized or conducted, a thorough pat-down search, a thorough electronic metal-detector search, and a thorough clothing search, where appropriate, must be used to search for and seize any evidence of a crime, contraband, fruits of crime, things otherwise criminally possessed, weapons, or other things by means of which a crime has been committed or reasonably appears about to be committed. No body cavity search shall be authorized or conducted unless these other methods do not satisfy the safety, security, or evidentiary concerns of the law enforcement agency.

(6) Search procedures, general. The following provisions shall apply to all strip searches and body cavity searches:

(a) Strip searches and body cavity searches shall be conducted in a professional manner which protects the prisoner's dignity to the extent possible.

(b) A strip search or body cavity search, as well as presearch undressing or postsearch dressing shall occur at a location made private from the observation of persons not physically conducting the search. A strip search or body cavity search shall be performed or observed only by persons of the same sex as the person being searched, except for licensed medical professionals as required by subsection (7)(a) of this section, as permitted by subsection (7)(c) of this section or when necessary to assure the safety of the prisoner or any person conducting the search.

(c) No person may be present or observe during a strip search or body cavity search unless the person is necessary to conduct the search or to ensure the safety of those persons conducting the search except as provided in subsection (7)(c) of this section.

(d) When a strip search or a body cavity search of a prisoner is conducted, it should include a thorough visual check for birthmarks, wounds, sores, cuts, bruises, scars, and injuries; "health tags"; and body vermin. Less complete searches should include the same checks to the extent possible. WAC 289-16-100 (6)(d) ADVISORY.

(e) Persons conducting a strip search or body cavity search shall not touch the person being searched except as reasonably necessary to effectuate the search of the person.

(7) Body cavity searches. The following additional provisions shall apply to body cavity searches:

(a) A body cavity search may be conducted only pursuant to subsection (5)(e) of this section. Any body cavity search shall be performed under sanitary conditions and conducted by a physician, registered nurse, or registered physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search.

(b) When a body cavity search is conducted by a licensed medical professional of the opposite sex, an observer of the same sex as the prisoner should be prese WAC 289-16-100 (7)(b) ADVISORY.

(c) Nothing in this section prohibits a person upon whom a body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(d) The officer requesting the body cavity search shall prepare and sign a report, which shall include:

(i) A copy of the warrant and any supporting documents required;

(ii) The name and sex of all persons conducting or observing the search;

(iii) The time, date, place, and description of the search; and

(iv) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the agency's records.

(8) All physical markings and "health tag" identification should be recorded and made available to the appropriate jail employees and medical professionals responsible for care of prisoner. WAC 289-16-100(8) ADVISORY.

(9) Particularly when force has been used during arrest, all visible injuries should be photographed. 289-16-100(9) ADVISORY.

(10) Body vermin. Any person with body vermin s... be treated appropriately.

(11) Medical complaints. Complaints of illness or injury expressed or detected during booking shall be acted upon promptly by the staff person on duty and the prisoner shall be provided medical treatment as necessary.

(12) Communicable diseases. Prisoners suspected of having a communicable disease detrimental to the health of the other prisoners shall be segregated.

(13) Prisoner property. At the time of booking, if the prisoner's personal property is taken from him, the authorized jail staff shall record and store such items, and issue the prisoner a receipt.

(14) Bedding and personal care items. At a reasonable time after completion of booking, each prisoner shall be issued clean bedding, as well as such personal care items as required under WAC 289-20-180.

(15) Writing paper. Upon prisoner request, a reasonable supply of writing material shall be furnished. [Statutory Authority: RCW 10.79.060 – 10.79.110. 85-01-032 (Resolution No. 84-51), § 289-16-100, filed 12/12/84. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-100, filed 3/24/81.]

WAC 289-16-110 Preclassification procedures. (Holding facilities.) Prior to classification, reasonable precautions shall be taken to insure the safety f... fare of prisoners and the security of the in... [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-110, filed 3/24/81.]

WAC 289-16-120 Orientation. (Holding facilities.) As soon as reasonable after booking, the prisoner shall be advised of any facility rules and regulations. His questions shall be answered. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-120, filed 3/24/81.]

WAC 289-16-130 Classification/segregation. (Holding facilities.) (1) Classification procedures. Written classification procedures shall be included in the policies and procedures.

(2) Classification. The department of corrections or chief law enforcement officer, or his designee, shall be responsible for classification in accordance with written procedures.

(3) Classification training. At least one staff person per shift shall be trained in the facility's classification procedures and shall be responsible for classification. (30 day, 72 hour) (Not applicable – 6 hour)

(4) Classification criteria. To the extent possible in the available physical plant, the following classification criteria shall be used. If (4)(a) through (d) cannot be enforced, arrangements shall be made to immediately transfer the prisoners involved to another facility which can segregate and supervise them.

(a) The primary criteria for classification shall be safety of the prisoner and the security of the institution.

(b) Juvenile.

(i) No juvenile shall be held in a jail without sight and sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been transferred previously to adult courts: *Provided*, That no person under the chronological age of sixteen shall be held in a jail or holding facility for adults: *Provided further*, That this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county adult detention facilities. A juvenile shall not be considered "transferred previously to adult court" unless a juvenile court has held a hearing under RCW 13.40.110 or successor statute and ordered the juvenile transferred for adult criminal prosecution. The exercise of jurisdiction by a limited-jurisdiction court in traffic, fish, boating, or game offenses or infractions pursuant to RCW 13.04.030 (6)(c) or successor statute does not constitute a "transfer."

(ii) A juvenile shall not be confined in a jail or holding facility for adults, except:

(A) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or

(B) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates.

(c) Females shall be segregated from visual and physical contact with male prisoners except under continual supervision of a staff person.

(d) Special problem prisoners who endanger the health or safety of other prisoners (or themselves) shall be segregated and closely supervised.

(e) Prisoners on work release and weekend confinement programs, and any other prisoners who have regular contact outside the jail should be segregated from other prisoner categories (30 day, 72 hour). WAC 289-16-130 (4)(e) ADVISORY (Not applicable – 6 hour)

(f) Factors to be considered in classification shall include, but are not limited to, age, type of crime, pretrial versus post trial status, and offender sophistication. [Statutory Authority: 1985 c 50. 85-18-025 (Order 86-03), § 289-16-130, filed 8/27/85. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-130, filed 3/24/81.]

WAC 289-16-140 Good time. (Holding facilities.) The director of the department of corrections or the chief law enforcement officer should develop written policies regarding time off for good behavior. Such policies should insure that good time, when authorized by sentencing courts, is given on a consistent basis, and in accordance with RCW 70.48.210 and 9.92.150. (30 day) WAC 289-16-140 ADVISORY (Not applicable – 72 hour, 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-140, filed 3/24/81.]

WAC 289-16-150 Release and transfer. (Holding facilities.) (1) Release.

(a) The releasing officer shall determine prisoner identity and ascertain that there is legal authority for the release.

(b) The information required on the release forms shall be recorded for each prisoner released from the facility (30 day, 72 hour). (Not applicable – 6 hour)

(c) All prisoners being released shall sign a witnessed receipt for personal property returned.

(2) Transfer. In addition to the release procedures designated above, the releasing officer shall determine that the receiving unit or person has the authority to accept custody. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-150, filed 3/24/81.]

WAC 289-16-160 Transportation. (Holding facilities.) When jail facility staff are responsible for prisoner transportation and when the prisoner is still in the custody and under the supervision of the jail, the department of corrections or chief law enforcement officer shall develop and maintain written instructions which insure the safety of the prisoners and staff. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-16-160, filed 3/24/81.]

WAC 289-16-200 Admissions. (Detention and correctional facilities.) (1) General.

(a) The receiving officer shall determine that the ar-
st and confinement of each prisoner is being accom-
ished by a duly authorized officer, and a copy of all
ocuments that purport to legally authorize the confine-
nent shall become part of the prisoner's jail record.

(b) If only one jail facility officer is on duty, the de-
ivery officer shall remain until the prisoner is locked
nto the confinement area.

(c) The information required by the commission shall
be recorded for each prisoner booked into the facility.

(d) Each prisoner, after completion of booking, shall
be advised of his right to, and be allowed to complete, at
least two local or collect calls to persons of his choice
who may be able to come to his assistance. If the pris-
oner chooses not to place the calls allowed, this infor-
mation shall be noted on the booking form.

(e) Reasonable provisions for communicating with
non-English speaking, handicapped and illiterate prison-
ers shall be provided concerning the booking process,
rules of the facility, privileges and other information
pertinent to his rights and well-being while confined.

(f) The booking process shall be completed promptly
unless the physical or mental condition of the prisoner
necessitates delay.

(2) Search/examination, when allowed.

(a) The department of corrections or chief law en-
forcement officer shall establish and maintain written
policies and procedures regarding pat searches, strip
searches and body cavity searches, which shall be con-
sistent with this section.

(b) Each prisoner shall be searched for contraband in
such a manner consistent with this subsection and writ-
ten policies and procedures established thereunder, as is
necessary to protect the safety of prisoners, staff, and
institutional security.

(c) No strip search shall be conducted except pursu-
ant to the written policies and procedures required by
(a) of this subsection.

(d) No strip search shall be conducted prior to the
prisoner's first court appearance unless there is reason-
able suspicion that the person has on his or her person
evidence of a crime, contraband, fruits of a crime, things
otherwise criminally possessed, a weapon, or other things
by means of which a crime has been or reasonably ap-
pears about to be committed. Reasonable suspicion shall
be deemed to be present when a prisoner has been ar-
rested for:

(i) A violent offense as defined in RCW
9.94A.030(17) or any successor statute;

(ii) An offense involving escape, burglary, or the use
of a deadly weapon; or

(iii) An offense involving possession of a drug or con-
trolled substance under chapter 69.50 RCW or any suc-
cessor statute.

No strip search shall be authorized or conducted in
these cases unless a thorough pat-down search, a thor-
ough electronic metal-detector search, and a thorough
clothing search, where appropriate, do not satisfy the
safety, security or evidentiary concerns of the jail.

(e) A written record or records of any strip search
shall be maintained in the individual file of each person
strip searched, which record(s) shall contain the follow-
ing information:

(i) The name and serial number of the officer con-
ducting the strip search and of all others present or ob-
serving any part of the strip search;

(ii) The time, date, and place of the strip search; and

(iii) Any weapons, criminal evidence, other contra-
band, or health condition discovered as a result of the
strip search.

Except where reasonable suspicion is deemed present
because of the nature of the arrest offense, this report or
these reports shall also contain:

(iv) The name of the supervisor authorizing the strip
search; and

(v) The specific facts constituting reasonable suspicion
to believe the strip search was necessary.

(f) No body cavity search shall be conducted except
pursuant to a valid search warrant. No search warrant
for a body cavity search shall be sought without prior
authorization of the ranking shift supervisor, pursuant to
the written policies and procedures required by (a) of
this subsection. Before any body cavity search is author-
ized or conducted, a thorough pat-down search, a thor-
ough electronic metal-detector search, and a thorough
clothing search, where appropriate, must be used to
search for and seize any evidence of a crime, contra-
band, fruits of crime, things otherwise criminally pos-
sessed, weapons, or other things by means of which a
crime has been committed or reasonably appears about
to be committed. No body cavity search shall be author-
ized or conducted unless these other methods do not sa-
tisfy the safety, security, or evidentiary concerns of t
law enforcement agency.

(3) Search procedures, general. The following provi-
sions shall apply to all strip searches and body cavity
searches:

(a) Strip searches and body cavity searches shall be
conducted in a professional manner which protects the
prisoner's dignity to the extent possible.

(b) A strip search or body cavity search, as well as
presearch undressing or postsearch dressing shall occur
at a location made private from the observation of per-
sons not physically conducting the search. A strip search
or body cavity search shall be performed or observed
only by persons of the same sex as the person being
searched, except for licensed medical professionals as
required by subsection (4)(a) of this section, as permit-
ted by subsection (4)(c) of this section or when neces-
sary to assure the safety of the prisoner or any person
conducting the search.

(c) No person may be present or observe during a
strip search or body cavity search unless the person is
necessary to conduct the search or to ensure the safety
of those persons conducting the search except as pro-
vided in subsection (4)(c) of this section.

(d) When a strip search or a body cavity search of a
prisoner is conducted, it should include a thorough visual
check for birthmarks, wounds, sores, cuts, bruises, sc
and injuries; "health tags;" and body vermin. Les
plete searches should include the same checks to
tent possible. WAC 289-16-200 (3)(d) ADVISORY.

(8/27/85)

(e) Persons conducting a strip search or body cavity search shall not touch the person being searched except as reasonably necessary to effectuate the search of the person.

(4) Body cavity searches. The following additional provisions shall apply to body cavity searches:

(a) A body cavity search may be conducted only pursuant to subsection (2)(e) of this section. Any body cavity search shall be performed under sanitary conditions and conducted by a physician, registered nurse, or registered physician's assistant, licensed to practice in this state, who is trained in the proper medical process and the potential health problems associated with a body cavity search.

(b) When a body cavity search is conducted by a licensed medical professional of the opposite sex, an observer of the same sex as the prisoner should be present. WAC 289-16-200 (4)(b) ADVISORY.

(c) Nothing in this section prohibits a person upon whom a body cavity search is to be performed from having a readily available person of his or her choosing present at the time the search is conducted. However, the person chosen shall not be a person being held in custody by a law enforcement agency.

(d) The officer requesting the body cavity search shall prepare and sign a report, which shall include:

(i) A copy of the warrant and any supporting documents required;

(ii) The name and sex of all persons conducting or observing the search;

(iii) The time, date, place, and description of the search; and

(iv) A statement of the results of the search and a list of any items removed from the person as a result of the search.

The report shall be retained as part of the agency's records.

(5) All physical markings and "health tag" identifications shall be recorded and made available to the appropriate jail employees and the medical professionals responsible for care of the prisoner under chapter 289-20 WAC.

(6) Particularly when force has been used during arrest, all visible injuries should be photographed. WAC 289-16-200(6) ADVISORY.

(7) Body vermin. Any person with body vermin shall be treated appropriately in accordance with chapter 289-20 WAC.

(8) Medical complaints. Complaints of illness or injury expressed or observed during booking shall be checked promptly in accordance with the medical procedure established under WAC 289-20-220.

(9) Communicable diseases. A prisoner suspected of having a communicable disease as defined in WAC 289-02-020(17) shall be isolated without delay. Arrangements shall be made for his immediate transfer to a facility equipped to handle the suspected disease, unless the admitting facility can safely and effectively segregate and maintain the medically prescribed treatment.

(10) Personal property. The admitting officer shall record and store the prisoner's personal property and issue the prisoner a witnessed receipt.

(11) Prisoner weight. Each prisoner's weight should be measured and recorded upon admission. WAC 289-16-200(11) ADVISORY.

(12) Photographs and fingerprints.

(a) Front and side-view identification photographs of each prisoner should stipulate the arresting agency or the booking agency and the date of arrest or the date of the photograph. WAC 289-16-200 (12)(a) ADVISORY.

(b) Copies of fingerprints shall be forwarded to the proper state and federal authorities.

(13) Issuances.

(a) Each jail should establish its own policy on prisoners' use of personal clothing or jail uniforms. WAC 289-16-200 (13)(a) ADVISORY.

(b) At a reasonable time after the completion of booking, each prisoner shall be issued clean bedding, as well as such personal care items as required under WAC 289-20-280.

(c) Upon prisoner request, a reasonable supply of writing material shall be furnished. [Statutory Authority: RCW 10.79.060 - 10.79.110. 85-01-032 (Resolution No. 84-51), § 289-16-200, filed 12/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-200, filed 3/18/81.]

WAC 289-16-210 Preclassification procedures. (Detention and correctional facilities.) (1) Prior to classification, reasonable precautions shall be taken to insure the safety and welfare of prisoners and the security of the institution.

(2) Prisoners who, upon screening, appear to have serious and potentially dangerous problems with drugs, including alcohol, or signs of serious mental illness, shall be closely observed. Persons qualified and trained to evaluate such prisoners shall be contacted without delay.

(3) Any prisoner suspected of being assaultive shall be housed separately prior to classification except where continual direct observation is maintained.

(4) No prisoner known or suspected to be a danger to himself may be housed alone without continual direct observation. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-210, filed 3/18/81.]

WAC 289-16-220 Orientation. (Detention and correctional facilities.) (1) As soon after booking as possible each prisoner shall receive an oral or written orientation, consistent with the provisions of WAC 289-16-200 (1)(f). The orientation shall provide information regarding the prisoner's confinement including, but not limited to:

(a) Rules of prisoner conduct; including possible disciplinary sanctions, as provided in WAC 289-19-210;

(b) Procedures and conditions regarding classification and reclassification, as provided in WAC 289-16-230;

(c) Staff expectations of prisoner responsibilities, including if applicable, cleaning of prisoner living areas;

(d) Prisoner rights and privileges;

(e) The means of access to health care as required by WAC 289-20-220, and other services;

(2) An opportunity to ask and receive answers to questions shall be provided within a reasonable time. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-220, filed 3/18/81.]

WAC 289-16-230 Classification/segregation. (Detention and correctional facilities.) (1) Classification.

(a) The department of corrections or chief law enforcement officer shall establish written classification and reclassification procedures which shall be included in the manual of policies and procedures.

(b) A classification committee, or individual shall be designated as responsible for classification of prisoners confined in the facility in accordance with such written procedures: *Provided*, That this does not preclude designation of alternate persons to serve in such individuals' absence: *Provided further*, That certain classification functions, such as initial cell assignment, may be delegated, in writing, to staff not assigned to classification functions.

(c) It is recommended that no less than two facility staff members be responsible for classification determinations when reasonably possible. WAC 289-16-230 (1)(c) ADVISORY.

(d) For each prisoner confined in a detention or correctional facility, those responsible for classification shall determine the degree of security required, housing assignment, program eligibility, and regulations for association within and outside the confinement area.

(2) Classification procedures.

(a) Each prisoner confined in a detention or correctional facility shall be interviewed by the persons responsible for classification determinations or other designated staff. Where designated staff conduct the interviews, the information shall be reported to the classification committee, or person responsible in a uniform manner.

(b) Each prisoner shall be classified as soon as reasonably possible.

(c) The prisoner shall be promptly informed of any classification housing assignment decision other than "general population," and of his right to have that decision reviewed upon making a request. Such notice shall also be given with regard to any reclassification action.

(d) A prisoner who is dissatisfied with his housing assignment shall be entitled to a review of the decision by the department of corrections or chief law enforcement officer upon making a written request, and shall be promptly informed of this right. Such request shall be reviewed by the department of corrections, chief law enforcement officer, or a designated staff member supervisory to the classification committee, within 72 hours of its receipt by staff. The prisoner shall receive a written decision of the review of such assignment, including reason(s).

(3) Criteria for prisoner classification.

(a) The primary criteria for classification shall be the safety of the prisoner and the security of the institution.

(b) Juveniles.

(i) No juvenile shall be held in a jail without sight and sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been transferred previously to adult courts: *Provided*, That no person under the chronological age of sixteen shall be held in a jail or holding facility for adults: *Provided further*, That this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county adult detention facilities. A juvenile shall not be considered "transferred previously to adult court" unless a juvenile court has held a hearing under RCW 13.40.110 or successor statute and ordered the juvenile transferred for adult criminal prosecution. The exercise of jurisdiction by a limited-jurisdiction court in traffic, fish, boating, or game offenses or infractions pursuant to RCW 13.04.030 (6)(c) or successor statute does not constitute a "transfer."

(ii) A juvenile shall not be confined in a jail or holding facility for adults, except:

(A) For a period not exceeding twenty-four hours excluding weekends and holidays and only for the purpose of an initial court appearance in a county where no juvenile detention facility is available, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound of adult inmates; or

(B) For not more than six hours and pursuant to a lawful detention in the course of an investigation, a juvenile may be held in an adult facility provided that the confinement is separate from the sight and sound adult inmates.

(c) Females shall be segregated from visual communication and physical contact with male prisoners except under the direct supervision of a staff person.

(d) Special problem prisoners who endanger the health and safety of other prisoners (or themselves) shall be segregated and closely supervised.

(e) Prisoners on work release or weekend confinement programs, and any other prisoners who have regular contact outside the jail shall be segregated from other prisoner categories.

(f) Factors to be considered in classification shall include, but are not limited to, age, type of crime, pretrial versus post-trial status, and offender sophistication.

(4) Administrative segregation.

(a) Written classification procedures shall include provisions for the separation of certain prisoners for their own protection, for purposes of investigation, and for the security of the facility.

(b) Written documentation shall be maintained for each case of administrative segregation. [Statutory Authority: 1985 c 50. 85-18-025 (Order 86-03), § 289-16-230, filed 8/27/85. Statutory Authority: Chapter 70.48 RCW. 81-08-001 (Order 12), § 289-16-230, filed 3/19/81; 81-07-057 (Order 10), § 289-16-230, filed 3/18/81.]

WAC 289-16-240 Good time. (Detention ar rectional facilities.) The director of the departn corrections or the chief law enforcement officer should

develop written policies regarding time off for good behavior. Such policies should insure that good time when authorized by sentencing courts, is given on a consistent basis, and in accordance with RCW 70.48.210 and 9.92-.150. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-240, filed 3/18/81.]

WAC 289-16-250 Release and transfer. (Detention and correctional facilities.) (1) Release.

(a) The releasing officer shall positively determine prisoner identity and ascertain that there is legal authority for the release.

(b) The information required on the release forms provided by the commission shall be recorded for each prisoner released from the facility.

(c) All prisoners being released shall sign a witnessed receipt for personal property returned.

(d) Each prisoner discharged should receive a visual body check to detect changes from his admitting physical record. WAC 289-16-250 (1)(d) ADVISORY.

(2) Transfer. In addition to the release procedures designated above, the releasing officer shall determine that the receiving unit or person has the authority to accept custody. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-250, filed 3/18/81.]

WAC 289-16-260 Transportation. (Detention and correctional facilities.) When jail facility staff are responsible for prisoner transportation and when the prisoner is still in the custody and under the supervision of the jail, the department of corrections or the chief law enforcement officer of each detention and correctional facility shall develop and maintain written instructions which insure the safety of the prisoners and staff shall be maintained. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-260, filed 3/18/81.]

Chapter 289-18 WAC
CUSTODIAL CARE STANDARDS--SECURITY

WAC

289-18-100 Staffing. (Holding facilities.)
289-18-110 Supervision and surveillance. (Holding facilities.)
289-18-120 Critical articles. (Holding facilities.)
289-18-200 Staffing. (Detention and correctional facilities.)
289-18-210 Supervision and surveillance. (Detention and correctional facilities.)
289-18-220 Critical articles. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-18-010 Supervision and surveillance. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-18-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-020 Critical articles. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-18-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-030 Emergency procedures. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-18-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-040 Emergency suspension of custodial care standards. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-18-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-050 Discipline. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-18-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-18-100 Staffing. (Holding facilities.) (1) General staffing. At all times at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance: *Provided*, That this section does not require the presence of such staff when no prisoners are being housed or booked in the facility.

(2) Same sex staffing. A jail staff member of the same sex as the prisoner shall be available in a reasonable time for all custodial activities which involve intimate physical contact or activities which are commonly afforded reasonable protection against opposite sex observation or supervision except where the health, safety, and security of the individual or the staff member would be jeopardized: *Provided*, That personal observation of prisoners for this or other sections of these standards may be by opposite sex staff so long as opposite sex privacy concerns are given appropriate protection.

(3) Surveillance.

(a) There shall be continual sight and/or sound surveillance of all prisoners.

(b) Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes: *Provided*, That special problem prisoners are subject to the more stringent personal observation and supervision requirements of other sections.

(c) Each prisoner shall be personally observed by staff at various times. All prisoner checks shall be recorded in writing and retained in the jail records.

(d) In the absence of unusual behavior or other concerns for prisoner security and health, personal observation of prisoners by staff may be reduced to, but should not be less frequent than, at least once within every sixty minute period. WAC 289-18-100 (3)(d) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-18-100, filed 3/24/81.]

WAC 289-18-110 Supervision and surveillance. (Holding facilities.) (1) Prisoner identification. All holding facilities shall establish a means of identifying prisoners.

(2) Perimeter security. Perimeter security shall be maintained within existing physical plant limitations.

(3) Security devices. Minimum necessary security devices shall be maintained in proper working condition at all times.

(4) Prisoner authority. No prisoner shall be permitted to have authority over other prisoners.

(5) Prisoner counts. A system should be maintained for taking and recording prisoner counts as necessary. WAC 289-18-110(5) ADVISORY

(6) Contraband control. All holding facilities shall establish and maintain a written procedure regarding searches of prisoners, visitors, and the facility to prevent the introduction of contraband. All jails which permit visiting shall post a sign displaying the penalty for the introduction of contraband. (RCW 9A.76.010, 9A.76.140, 9A.76.150, 9A.76.160.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-18-110, filed 3/24/81.]

WAC 289-18-120 Critical articles. (Holding facilities.) (1) All holding facilities shall establish written procedures to insure that weapons shall be inaccessible to prisoners at all times.

(2) Weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(2) ADVISORY

(3) Whenever possible, keys to weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(3) ADVISORY

(4) Keys and locking devices.

(a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all staff.

(b) A control point shall be designated for key cataloging and logging the distribution of keys.

(c) There shall be at least two sets of jail facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(d) All keys not in use shall be stored in a secure area inaccessible to prisoners.

(e) Emergency keys shall be marked and placed where they may be quickly identified in case of an emergency.

(f) Keys shall be accounted for at all times.

(g) Jail facility keys shall never be issued to a prisoner.

(h) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or failure of the system.

(5) The department of corrections or the chief law enforcement officer shall establish and maintain written procedures regarding storage of protective equipment and dangerous kitchen utensils, if applicable. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-18-120, filed 3/24/81.]

WAC 289-18-200 Staffing. (Detention and correctional facilities.) General staffing.

(1) At all times in all jails, at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance.

(2) At all times a staff member of the same sex as the prisoner(s) shall be on duty or available within a reasonable time, which staff member shall be directly responsible for supervision which involves intimate physical contact or activities commonly afforded reasonable protection against opposite sex observation or supervision: *Provided*, That this does not preclude jail staff from performing nonjail-related functions or being relieved from direct duties and remaining on call: *Provided further*, That personal observation of prisoners for purposes of this or other sections of these standards may be by opposite sex staff as long as opposite sex privacy concerns are given appropriate protection.

(3) There shall be continual sight and/or sound surveillance of all prisoners.

(4) Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes: *Provided*, That special problem prisoners are subject to the more stringent personal observation and supervision requirements of other sections.

(5) In the absence of unusual behavior or other concerns for prisoner security and health, personal observation of prisoners by staff may be reduced to, but shall not be less frequent than, at least once within every sixty minute period.

(6) Personal staff observations of prisoners should be recorded in writing and retained in the jail records. WAC 289-18-200(6) ADVISORY.

(7) Staff should be alert to prisoner depression, dissension, family rejection, loneliness, resistance to staff or programs, and the effects of use of substances prohibited by facility rules or by law. When such symptoms are discovered, such persons should be closely observed. WAC 289-18-200(7) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-200, filed 3/18/81.]

WAC 289-18-210 Supervision and surveillance. (Detention and correctional facilities.) (1) General security.

(a) All jails shall establish a positive means of identifying prisoners.

(b) Perimeter security shall be maintained.

(c) Security devices shall be maintained in proper working condition at all times.

(d) No prisoner shall be permitted to have authority over other prisoners.

(2) Prisoner counts. Detention and correctional facilities shall develop a system for taking and recording prisoner counts. This procedure shall be followed at shift changes and at other regular or irregular times.

(3) Contraband control.

(a) Any item or person entering or leaving a jail shall be subject to search.

(b) When housed in a jail facility, work release prisoners and prisoners who have regular contact outside the jail shall not be permitted contact with other prisoner classifications or entrance to areas frequented by other prisoners.

(c) There shall be irregularly scheduled searches for contraband in detention and correctional facilities and all areas frequented by prisoners.

(d) Conspicuously posted signs shall display the statutory penalty for giving or arranging to give anything to a prisoner without official authorization (RCW 9A.-.010, 9A.76.140, 9A.76.150, 9A.76.160). Non-Eng. speaking visitors shall be informed of the statutory penalty either verbally or by posted signs in the appropriate language. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-210, filed 3/18/81.]

WAC 289-18-220 Critical articles. (Detention and correctional facilities.) (1) All detention and correctional facilities shall establish written procedures to insure that weapons shall be inaccessible to prisoners at all times.

(2) Weapon lockers shall be located outside of booking and confinement areas.

(3) Whenever possible, keys to weapon lockers should be located outside of booking and confinement areas. ADVISORY.

(4) Keys and locking devices.

(a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all staff.

(b) A control point shall be designated for key cataloging and logging the distribution of keys.

(c) There shall be at least two sets of jail facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(d) All keys not in use shall be stored in a secure key locker inaccessible to prisoners.

(e) Emergency keys shall be marked and placed wh- they may be quickly identified in case of an emer

(f) Keys to locks on doors inside the security a jail should be on a separate ring from keys to locks on

doors or gates to the outside of the jails. At no time should both rings be carried by a person inside the jail simultaneously. WAC 289-18-220 (4)(f) ADVISORY.

(g) Keys shall be accounted for at all times and the distribution certified at each shift change.

(h) Jail facility keys shall never be issued to a prisoner.

(i) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or a failure of the system.

(5) Protective equipment. Protective equipment, tear gas, and any other chemical suppressing agent shall be kept in a secure area, inaccessible to prisoners and unauthorized persons, but quickly accessible to officers of the facility.

(6) Kitchen utensils, tools, and toxic substances.

(a) Dangerous kitchen utensils and tools shall be marked for identification, recorded, and kept in a secure place.

(b) Toxic substances shall be kept in locked storage, and use of toxic substances shall be strictly supervised. Such substances, including cleaning supplies, shall be stored in a separate area from food supplies. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-220, filed 3/18/81.]

Chapter 289-19 WAC
CUSTODIAL CARE STANDARDS--PRISONER CONDUCT

WAC

289-19-010	Introduction.
289-19-100	Prisoner rights. (Holding facilities.)
289-19-110	Prisoner rules of conduct. (Holding facilities.)
289-19-120	Discipline. (Holding facilities.)
289-19-130	Grievance procedures. (Holding facilities.)
289-19-200	Prisoner rights. (Detention and correctional facilities.)
289-19-210	Prisoner rules of conduct. (Detention and Correctional facilities.)
289-19-220	Discipline. (Detention and correctional facilities.)
289-19-230	Grievance procedures. (Detention and correctional facilities.)

WAC 289-19-010 Introduction. It is assumed that disciplinary procedures are usually not applicable to six-hour holding facilities, but where any disciplinary rules or sanctions exist, the facility must comply with the applicable provisions of this chapter. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-010, filed 3/24/81.]

WAC 289-19-100 Prisoner rights. (Holding facilities.) Each holding facility should establish a written statement of prisoner rights, to be reviewed at the time of orientation, which should include, but not be limited to, access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment, freedom from discrimination based on race or sex, access to information on facility rules and regulations and sanctions, communication such as telephone calls, and access to necessary medical care. (30 day, 72 hour) WAC 289-19-100 ADVISORY. (6 hour – see WAC 289-16-120.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-100, filed 3/24/81.]

WAC 289-19-110 Prisoner rules of conduct. (Holding facilities.) (1) Rules established.

(a) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners which rules shall designate major and minor infractions. (30 day, 72 hour)

(b) Appropriate rules relating to the imposition of discipline, if any, shall be established in writing. (6 hour)

(2) Prisoners informed.

(a) Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously within the jail or conveyed orally to each prisoner. Reasonable efforts shall be made to inform non-English speaking prisoners. (30 day, 72 hour)

(b) Prisoners shall be informed of facility rules and sanctions, if any are established. (6 hour)

(3) Major infractions. If major infractions are handled within the facility, rather than as criminal proceedings, the following shall apply:

(a) All major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail record.

(b) Disciplinary committee.

(i) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees shall hear and decide all charges of major violation of facility rules and impose sanctions. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. (30 day) WAC 289-19-110 (3)(b)(ii) ADVISORY. (Not applicable – 72 hour, 6 hour)

(iii) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Disciplinary procedures.

(i) Any charge pending against a prisoner shall be acted on as soon as possible and no later than seventy-two hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. Action in this context means either a disciplinary hearing or a decision not to impose any sanction requiring a hearing. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-19-110 (3)(a). If the prisoner is illiterate, the infraction report shall be read to him. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(A) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(B) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgements and the prisoner's record shall contain a statement with regard to such grounds;

C) A prisoner who is unable to represent himself in a hearing shall be informed of his right to be assisted by another person in understanding and participating in the proceedings;

D) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(E) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed procedures established by each facility and included in the printed rules. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) All disciplinary proceedings shall be recorded. (30 day) (Not applicable – 72 hour, 6 hour)

(v) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction. (30 day) (Not applicable – 72 hour, 6 hour)

(4) Minor infractions. Minor infractions may be handled by any staff person by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-19-110, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-110, filed 3/24/81.]

WAC 289-19-120 Discipline. (Holding facilities.) (1) Corrective action or forms of discipline.

(a) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, and appropriate to the severity of the infraction.

(b) Acceptable forms of discipline shall include, but not be limited to, the following:

(i) Loss of privileges;

(ii) Removal from work detail or other assignment;

(iii) Recommendation of forfeiture of "good time" credit;

(iv) Transfer to the maximum security or segregation section. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts, or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation. WAC 289-19-120 (2)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

(e) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer or his or her designee, and in no event shall a prisoner be held in disciplinary segregation for more than ten consecutive days as the result of any one hearing. (30 day) (Not applicable – 72 hour, 6 hour)

(f) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-120, filed 3/24/81.]

WAC 289-19-130 Grievance procedures. (Holding facilities.) The department of corrections or chief law enforcement officer for each jail should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for notification of action taken regarding the grievance. (30 day, 72 hour) WAC 289-19-130 ADVISORY. (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-130, filed 3/24/81.]

WAC 289-19-200 Prisoner rights. (Detention and correctional facilities.) Each detention and correction facility should establish a written statement of prisoner rights, to be reviewed at the time of orientation, which should include, but not be limited to, access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment, freedom from discrimination based on race or sex, access to information on facility rules and regulations and sanctions, communication such as telephone calls, and access to necessary medical care. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-200, filed 3/18/81.]

WAC 289-19-210 Prisoner rules of conduct. (Detention and Correctional facilities.) (1) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners, which rules shall designate major and minor infractions.

(2) Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously throughout the jail. Non-English speaking prisoners shall be informed of the rules either orally, in writing, or by posted signs in the appropriate language.

(3) All major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail rec

filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-220, filed 3/18/81.]

WAC 289-19-230 Grievance procedures. (Detention and correctional facilities.) The department of corrections or chief law enforcement officer for each jail should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for written notification of action taken regarding the grievance. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-230, filed 3/18/81.]

(4) Minor infractions. Minor violations of the rules may be handled informally by any staff member by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-210, filed 3/18/81.]

WAC 289-19-220 Discipline. (Detention and correctional facilities.) (1) Disciplinary committee.

(a) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees, shall hear and decide all charges of major violation of facility rules and impose sanctions.

(b) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. WAC 289-19-220 (1)(b) ADVISORY.

(c) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge.

(2) Disciplinary procedures.

(a) Any charges pending against a prisoner shall be acted on as soon as possible and no later than seventy-two hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. Action in this context means either a disciplinary hearing or a decision not to impose any sanction requiring a hearing.

(b) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-19-210(3). If the prisoner is illiterate, the infraction report shall be read to him.

(c) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(i) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(ii) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgments and the prisoner's record shall contain a statement with regard to such grounds;

(iii) A prisoner who is unable to represent himself in such a hearing shall be informed of his right to be assisted by another person in understanding and participating in the proceedings;

(iv) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(v) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed rules.

(d) All disciplinary proceedings shall be recorded.

(e) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction.

(f) The above provisions do not preclude imposition of administrative segregation, according to procedures required by WAC 289-16-230(4), or other appropriate limitations on freedom of the prisoner involved prior to such disciplinary proceeding: *Provided*, That every such restriction shall be in accordance with the other provisions in these standards: *Provided further*, That any such restrictions shall be based on legitimate grounds of institutional security or prisoner safety, and such action shall be noted in the prisoner's records.

(3) Corrective action or forms of discipline.

(a) Nonpunitive corrective action should be the first consideration in all disciplinary proceedings. WAC 289-19-220 (3)(a) ADVISORY.

(b) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, appropriate to the severity of the infraction, and based on considerations of the individual involved.

(c) Acceptable forms of discipline shall include the following:

(i) Loss of privileges;

(ii) Removal from work detail or other assignment;

(iii) Recommendation of forfeiture of "good time" credit;

(iv) Transfer to the maximum security or segrega section.

(4) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation. WAC 289-19-220 (4)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

(e) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer or his or her designee, and in no event shall a prisoner be held in disciplinary segregation for mo than ten consecutive days as the result of an hearing.

(f) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. [Statutory Authority: RCW 70.48-.050 (3)(c). 84-21-042 (Order 84-50), § 289-19-220.

Chapter 289-20 WAC
CUSTODIAL CARE STANDARDS--HEALTH AND WELFARE

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-20-010 Health care. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-020 Food. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-030 Clothing, bedding and personal items. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-040 Sanitation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-050 Fire suppression. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-20-100 Written procedures for medical services. (Holding facilities.) (1) There shall be on file, in the jail, a written procedure which provides that necessary medical services will be provided twenty-four hours a day by one or more of the following:

(a) A licensed physician.

(b) A health care professional supervised by a licensed physician.

(c) A hospital or clinic.

(2) Security. All providers of medical services in holding facilities shall observe the security regulations which apply to jail personnel.

(3) Licensing and certifications. Medical services shall be provided only by licensed or certified health care providers. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-100, filed 3/24/81.]

WAC 289-20-105 Health care policies and procedures. (Holding facilities.) Written standard operating procedures shall consist of but not be limited to the following:

(1) Receiving screening;

(2) Nonemergency medical services;

(3) Deciding the emergency nature of illness or injury;

(4) First-aid;

(5) Notification of next of kin or legal guardian in case of serious illness, injury or death;

(6) Screening, referral and care of mentally ill and retarded inmates, and prisoners under the influence of alcohol and other drugs;

(7) Detoxification procedures; and

(8) Pharmaceuticals. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-105, filed 3/24/81.]

WAC 289-20-110 Health screening. (Holding facilities.) (1) Receiving screening shall be performed on all prisoners upon admission to the facility, and the findings recorded on a printed screening form.

(2) If the results of receiving screening indicate a medical problem that may be detrimental to the health or safety of the prisoner, but is of a nonemergency nature, then the prisoner shall be seen within a reasonable time by a physician or nurse to determine the need for further diagnosis or treatment. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-110, filed 3/24/81.]

WAC 289-20-120 Access to health care. (Holding facilities.) (1) Written procedures for gaining access to medical services shall be given to each prisoner at the time of admission and/or posted conspicuously in the

jail. (30 day, 72 hour) (6 hour – WAC 289-20-120(1) ADVISORY)

(2) Prisoner complaints of injury or illness, or staff observations of such shall be acted upon by staff as soon as reasonably possible. Prisoners shall be provided with medical diagnosis or treatment as necessary.

(3) Work release prisoners should be allowed to see their own physician. (30 day, 72 hour) WAC 289-20-120(3) ADVISORY (Not applicable – 6 hour)

(4) Emergency care.

(a) Standard first-aid kits shall be conveniently available to all jails.

(b) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

(i) Arrangements for the emergency evacuation of the prisoner from the jail;

(ii) Arrangements for the use of an emergency medical vehicle;

(iii) Arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities;

(iv) Arrangements for emergency on-call physician and dentist services when an emergency health facility is not located in a nearby community;

(v) Arrangements for emergency mental illness care for prisoners. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-120, filed 3/24/81.]

WAC 289-20-130 Health care training. (Holding facilities.) (1) Jail personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall include but not be limited to:

(a) Awareness of potential medical emergency situations;

(b) Notification or observation-determination that a medical emergency is in progress;

(c) First-aid and resuscitation;

(d) Call for help; and

(e) Transfer to appropriate medical provider.

(2) At least one person per shift shall have training in receiving screening.

(3) At least one person available per shift shall have training in basic life support cardiopulmonary resuscitation (CPR).

(4) All persons delivering medication shall be properly trained. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-130, filed 3/24/81.]

WAC 289-20-140 Medications control. (Holding facilities.) (1) If stock prescriptive medication is maintained within the holding facility, standard operating procedures for the proper management of pharmaceuticals shall include:

(a) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 3[illegible]16-070 (clinic dispensary);

(b) A policy that jails with an on-site pharmacy s[illegible] adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);

(c) A policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

(2) The standard operating procedures for medication dispensing and administration shall include, but not be limited to, policies regarding:

(a) Nonmedical jail personnel delivering medication(s) to prisoners;

(b) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(c) The medications system, which shall insure that all medications shall be kept in containers which have been labeled securely and legibly by a pharmacist or the prescribing physician, or in their original container labeled by their manufacturer. Medications shall not be transferred from the original container except for the preparation of a dose administration;

(d) Safeguards with regard to delivery of medications to prisoners; and

(e) Disposition of unused medication(s).

(3) The standard operating procedures should in[illegible] a policy regarding the maximum security storag[illegible] weekly inventory of all controlled substances, nonpr[illegible]scription medication(s), and any syringes, needles and surgical instruments. (30 day, 72 hour) WAC 289-20-140(3) ADVISORY (Not applicable – 6 hour)

(4) The person delivering medication shall be accountable for following the order of the prescribing physician. (30 day, 72 hour) (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-140, filed 3/24/81.]

WAC 289-20-150 Health care records. (Holding facilities.) (1) Prisoner file maintenance.

(a) Prisoner medical files shall contain the completed receiving screening form, all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications, notes concerning patient education, notations of place, date and time of medical encounters and terminations of treatment from long term or serious medical or psychiatric treatment, if applicable. (30 day)

(b) A record of the date, time, place and name of the health care provider shall be retained on file at the jail if any health care services are provided to prisoners. (72 hour, 6 hour)

(2) Prisoner file confidentiality.

(a) Medical records shall be maintained separately from other jail records to the extent necessary to prot[illegible] their confidentiality.

(b) Medical records shall not be released to [illegible] persons or agencies without the written authorization of the prisoner.

(3) The responsible physician or medical care provider shall communicate information obtained in the course of medical screening and care to jail authorities when necessary for the protection of the welfare of the prisoner or other prisoners, management of the jail, or maintenance of jail security and order. (30 day)

(4) Information regarding known serious health problems shall be communicated to any transferring officer or receiving jail or correctional institution at the time of transfer. (72 hour, 6 hour)

(5) The person delivering medications shall record the actual date and time of the delivery. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-150, filed 3/24/81.]

WAC 289-20-160 Special medical issues. (Holding facilities.) (1) Informed consent. All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care.

(2) Special medical.

(a) Jail staff suspecting prisoner mental illness shall notify the appropriate mental health authorities.

(b) Appropriate medically supervised treatment in accordance with written procedures established under WAC 289-20-105 shall be given in the jail to prisoners determined to be mentally ill or under the influence of alcohol, opiates, barbiturates, and similar drugs when such care is not provided in a community health facility. (30 day, 72 hour) (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-160, filed 3/24/81.]

WAC 289-20-165 Access to facilities. (Holding facilities.) (1) Regular bathing (shower) shall be permitted at least twice each week. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Each prisoner shall have access to toilet, sink, drinking water, and adequate heat and ventilation. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-165, filed 3/24/81.]

WAC 289-20-170 Food. (Holding facilities.) (1) Meal service.

At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Nutritional and caloric intake.

(a) Jail meals shall be nutritious, and provide for appropriate caloric intake.

(b) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Medically ordered diets shall be strictly observed. [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-170, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-170, filed 3/24/81.]

WAC 289-20-180 Clothing, bedding and personal items. (Holding facilities.) (1) Clothing.

(a) Provisions shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing. (30 day, 72 hour) (Not applicable – 6 hour)

(b) Each jail shall insure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and socks are laundered and made available to them at least twice a week. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Bedding.

Prisoners shall be issued clean bedding within a reasonable time. Bedding shall include, but not be limited to:

(a) A mattress which shall have a washable surface which shall be sanitized at least semi-annually or more often if needed;

(b) A mattress cover or sheet which shall be washed weekly or more often as needed, and always before reissue;

(c) A blanket which shall be washed at frequent intervals to maintain a clean condition, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner held in excess of six hours shall include, but not be limited to, soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items. (30 day, 72 hour) (Not applicable – 6 hour)

(b) Toothpaste, toothbrush and comb shall be provided for all prisoners held in excess of twelve hours. Such items shall be available for purchase or shall be issued as needed: *Provided*, That indigent prisoners shall have access to these minimum items without cost. (30 day, 72 hour) (Not applicable – 6 hour)

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security. (30 day, 72 hour) WAC 289-20-180 (3)(c) ADVISORY (Not applicable – 6 hour.) [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-180, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-180, filed 3/24/81.]

WAC 289-20-190 Sanitation. (Holding facilities.) (1) General sanitation.

(a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) When the facility is occupied, the housekeeping program shall include a daily general sanitation inspection and daily removal of trash and garbage. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Each prisoner shall clean his own living area daily.

(2) Insects, rodents, and pets.

(a) Insects and rodents shall be eliminated by safe and effective means.

(b) Pets shall not be allowed in jail facilities.

(3) Laundry. Each jail shall arrange for adequate laundry services. (30 day, 72 hour) (Not applicable - 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-190, filed 3/24/81.]

WAC 289-20-200 Responsible physician and licensed staff. (Detention and correctional facilities.) (1) The facility shall have a designated health authority with responsibility for health care services pursuant to a written agreement, contract, or job description. The health authority may be a physician, health administrator or agency. When this authority is other than a physician, final medical judgments shall rest with a single designated responsible physician licensed in the state of Washington.

(2) Matters of medical and dental judgment shall be the sole province of the responsible physician and dentist respectively; security regulations applicable to facility personnel shall also apply to health personnel.

(3) The responsible physician or medical authority should submit a quarterly report on the health delivery system and health environment and an annual statistical summary to the chief law enforcement officer or department of corrections. WAC 289-20-200(3) ADVISORY.

(4) State licensure and/or certification requirements and restrictions shall apply to health care personnel.

(5) All medical personnel shall practice within the scope of their license. Where applicable, treatment shall be performed pursuant to a written standing or direct order.

(6) Verification of current licensing and certification credentials should be on file in the jail. WAC 289-20-200(6) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-200, filed 3/18/81.]

WAC 289-20-205 Health care policies and procedures. (Detention and correctional facilities.) (1) Written standard operating procedures approved by the responsible physician and governing unit or official designated by it shall consist of but not be limited to the following:

(a) Receiving screening;

(b) Health appraisal data collection; WAC 289-20-205 (1)(b) ADVISORY

(c) Nonemergency medical services;

(d) Deciding the emergency nature of illness or injury;

(e) Availability of dental referral examination, and treatment;

(f) Provision of medical and dental prostheses;

(g) First aid;

(h) Notification of next of kin or legal guardian in case of serious illness, injury or death;

(i) Providing chronic care;

(j) Providing convalescent care;

(k) Providing medical preventive maintenance; WAC 289-20-205 (1)(k) ADVISORY

(l) Screening, referral and care of mentally ill and retarded inmates, and prisoners under the influence of alcohol and other drugs;

(m) Implementing the special medical program;

(n) Delousing procedures;

(o) Detoxification procedures; and

(p) Pharmaceuticals.

(2) The work of qualified medical personnel shall be governed by written job descriptions which shall be approved by the responsible physician. [Statutory Authority: RCW 70.48.050(1) and 70.48.070(4). 82-04-088 (Order 22), § 289-20-205, filed 2/3/82. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-205, filed 3/18/81.]

WAC 289-20-210 Health screening. (Detention and correctional facilities.) (1) Receiving screening shall be performed on all prisoners upon admission to the facility before being placed in the general population or housing area, and the findings recorded on a printed screening form approved by the jail commission. The screening shall include inquiry into:

(a) Current illnesses and health problems including those specific to women;

(b) Medications taken and special health requirements;

(c) Screening of other health problems designated by the responsible physician;

(d) Behavioral observation, including state of consciousness and mental status;

(e) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice, and other physical characteristics;

(f) Condition of skin and body orifices, including rashes and infestations; and

(g) Disposition/referral of inmates to qualified medical personnel on an emergency basis.

(2) The health appraisal data collection should be completed for each prisoner within fourteen days after admission to the facility in accordance with the adopted standard operating procedures: *Provided*, That this subsection does not apply to prisoners who are able to receive medical care in the community. WAC 289-20-210(2) ADVISORY

(3) Such health appraisal should include, at a minimum, a physical assessment by a licensed health care provider, recording of vital signs and a general review of mental status: *Provided*, That such appraisal is not intended to be a standard "annual physical" but rather such minimum physical and mental status review as is necessary to detect any major problems. As appropriate, laboratory and diagnostic tests to detect communicable disease, including venereal diseases and tuberculosis, and other tests and appraisals should be included within such appraisal. WAC 289-20-210(3) ADVISORY

(4) Health history and vital signs should be collected by medically trained or qualified medical personnel who are properly licensed, registered or certified as appropriate to their qualifications to practice. Collections of all other health appraisal data should be performed only by qualified medical personnel. Review of the results of medical examination, tests, and identification of problems should be made by a physician or designated qualified medical personnel. All health appraisal data should be recorded on the health data forms approved by the

responsible physician. WAC 289-20-210(4) ADVISORY. [Statutory Authority: RCW 70.48.050(1) and 70.48.070(4). 82-04-088 (Order 22), § 289-20-210, filed 2/3/82. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-210, filed 3/18/81.]

WAC 289-20-220 Access to health care. (Detention and correctional facilities.) (1) If medical services are delivered in the jail, adequate equipment supplies and materials shall be provided for the performance of primary health care delivery.

(2) At the time of admission to the facility, prisoners shall receive a written communication consistent with the provisions of WAC 289-16-010 (1)(f), explaining the procedures for gaining access to medical services.

(3) Prisoners' medical complaints shall be collected daily and acted upon by the medically trained personnel. An appropriate priority shall be established and treatment by qualified medical personnel follow.

(4) Work release prisoners should be allowed to see their own physicians outside of the jail and to receive consistent care within the jail.

(5) Sick call.

(a) Sick call shall be conducted by a physician and/or other qualified medical personnel and shall be available to each prisoner as follows:

(i) In facilities of less than fifty prisoners, at least once per week at a minimum;

(ii) Facilities of fifty to two hundred prisoners at least three times per week; and

(iii) Facilities of over two hundred prisoners at least five times per week: *Provided*, That the average daily population may be calculated exclusive of work release prisoners when they receive their care in the community.

(b) When sick call is not conducted by a physician, the responsible physician shall arrange for the availability of a physician at least once each week to respond to prisoner complaints regarding services which they did or did not receive from other medical providers; further, regardless of complaints, the responsible physician shall review the medical services delivered, as follows:

(i) At least once per month in jails with less than fifty prisoners;

(ii) At least every two weeks in facilities of fifty to two hundred prisoners; and

(iii) At least weekly in facilities of over two hundred prisoners.

(6) Medical and dental prostheses shall not be denied when the health of the inmate-patient would otherwise be adversely affected as determined by the responsible physician.

(7) Emergency care.

(a) First aid kit(s) shall be conveniently available in all jails.

(b) The responsible physician should approve the contents, number, location and procedure for periodic inspection of the kit(s). WAC 289-20-220 (7)(b) ADVISORY

(c) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

(i) Arrangements for the emergency evacuation of the prisoner from the jail;

(ii) Arrangements for the use of an emergency medical vehicle;

(iii) Arrangements for the use of one or more designated hospital emergency rooms, other appropriate health facilities, or on-call physician and dentist services. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-220, filed 3/18/81.]

WAC 289-20-230 Health care training. (Detention and correctional facilities.) (1) Jail personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall incorporate the following steps:

(a) Awareness of potential medical emergency situations;

(b) Notification or observation determination that a medical emergency is in progress;

(c) "First aid" and resuscitation;

(d) Call for help; and

(e) Transfer to appropriate medical provider.

(2) At least one person per shift within sight or sound of the prisoner shall have training in receiving screening and basic life support cardiopulmonary resuscitation (CPR).

(3) Jail personnel shall be given training regarding the recognition of general symptoms of mental illness and retardation.

(4) All persons responsible for the delivery of medications shall have training regarding the medical, security, and legal aspects of such activity. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-230, filed 3/18/81.]

WAC 289-20-240 Medications control. (Detention and correctional facilities.) (1) The jail's standard operating procedures for the proper management of pharmaceuticals shall include:

(a) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 360-16-070 (clinic dispensary);

(b) A policy that jails with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);

(c) A policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

(d) A policy regarding medication dispensing and administration which shall include, but not be limited to:

(i) Nonmedical jail personnel delivering medication(s) to prisoners;

(ii) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(b) Jails may arrange for prepared meal service or serve frozen packaged meals, provided these meals conform to the other requirements of this section.

(c) Meals shall be served in a reasonable manner, hot food served hot, cold food served cold.

(2) Nutritional and caloric intake.

(a) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified.

(b) Diets ordered by medical staff shall be strictly observed. [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-270, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-270, filed 3/18/81.]

WAC 289-20-280 Clothing, bedding and personal items. (Detention and correctional facilities.) (1) Clothing.

(a) Provision shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing.

(b) Each jail shall insure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and socks are laundered and made available to them at least twice a week.

(c) Detention and correctional facilities shall, if necessary, clean and sanitize personal clothing prior to storage.

(2) Bedding.

(a) Each prisoner shall be issued clean bed linens for the first night's detention and at least once a week thereafter. Bed linens shall include:

(i) One detachable cloth mattress cover and one sheet; or

(ii) Two sheets; or

(iii) One double sized sheet.

(b) Mattresses shall have a washable surface and shall be sanitized at least semiannually.

(c) Blankets shall be issued upon arrival and shall be washed at frequent intervals to maintain a clean condition, but at least once every sixty days, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner in detention and correctional facilities shall include, but not be limited to soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items.

(b) Toothpaste or powder, toothbrush and comb shall be provided for all prisoners. Such items shall be available for purchase or shall be issued at booking and as needed thereafter: *Provided*, That prisoners without funds shall have access to these minimum items without cost.

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security. WAC 289-20-280 (3)(c). ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-280, filed 3/18/81.]

WAC 289-20-290 Sanitation. (Detention and correctional facilities.) (1) General.

(a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) Jail staff shall insure that each prisoner shall clean his own living area daily. Convicted prisoners may be required to clean other space within the confinement area and pretrial detainees may be permitted to do so voluntarily.

(2) Insects, rodents, and pets.

(a) Insects and rodents shall be eliminated by safe and effective means. Prisoners shall be removed from areas in which insecticides and rodenticides are being used.

(b) Pets shall not be allowed in jail facilities.

(3) Laundry. Each jail shall arrange for adequate laundry services. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-290, filed 3/18/81.]

Chapter 289-02 WAC
INTRODUCTION AND DEFINITIONS

WAC

289-02-010	General.
289-02-020	Definitions.
289-02-030	Classification change.
289-02-040	Classification and uses of holding facilities.
289-02-050	Classification and uses of special detention and work release facilities.

WAC 289-02-010 General. The rules set forth in this title are adopted by the state jail commission pursuant to and for purposes of fulfilling the mandates of the City and County Jails Act, chapter 70.48 RCW. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-010, filed 6/27/79.]

WAC 289-02-020 Definitions. The following words and phrases shall have the meaning indicated whenever used in this title unless a different meaning is specifically indicated.

(1) "Clear floor space" means floor area which is unobstructed by any permanent fixture.

(2) "Contraband" means any substance or item not specifically permitted by a jail administration.

(3) "Commission" or "state jail commission" refers to the commission established pursuant to RCW 70.48.030.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed and used for housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Day room" means an area to which prisoners have unrestricted access during all or part of a day for leisure, dining, hygiene, or similar activities. This definition does not include areas specifically designed for physical exercise.

(6) "Detention facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(7) "Dormitory" means a secured sleeping and day room area occupied by more than one prisoner, provided, that the term "dormitory" shall not include a single cell presently operated as a cell and originally designed for single occupancy.

(8) "Governing unit" means the city and/or county or any combination of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(9) "Holding facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(10) "Jail" means any holding, detention, or correctional facility as defined herein, or any farm, camp, or work release facility established and operated in conjunction with a jail.

(11) "Living area" includes single cells, dormitories, day room area and leisure time activity space.

(12) "Major urban" refers to a county or combination of counties which contains a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(13) "Medium urban" refers to a county or combination of counties which contains a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(14) "Public records" include any writing or recording which contains information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or returned by any state or local agency regardless of its physical form or characteristics.

(15) "Rural" refers to a county or combination of counties which does not contain a city having a population of more than ten thousand based on the 1978 projections of the office of financial management.

(16) "Single cell" means a secured sleeping area occupied by only one prisoner, and which is physically and visually separated from other prisoner sleeping areas on three of its four sides.

(17) "Communicable disease" means micro-organisms that are easily transferable from one body to another creating a condition which must be reported to the health department.

(18) "Work release program" means a program of scheduled release from the physical confines of a city or county jail, special detention facility or work release center for the purpose of employment, seeking employment or school.

(19) "Work release facility" means any building or designated portion of a building primarily designed, staffed, and used for the housing of persons participating in a work release program.

(20) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

21) "Substantially remodeled" means significant al-
tions made to the physical plant of a jail to conform
n the physical plant standards.
22) "Strip search" means having a person remove or
ange some or all of his or her clothing so as to permit
inspection of the genitals, buttocks, anus or under-
ments of a person or breasts of a female person.
tatutory Authority: RCW 70.48.050. 86-19-016 (Or-
r 86-07), § 289-02-020, filed 9/9/86. Statutory Au-
ority: RCW 10.79.060 - 10.79.110. 85-01-032
esolution No. 84-51), § 289-02-020, filed 12/12/84.
atutory Authority: RCW 70.48.050 (3)(c) and 1984 c
0 § 7. 84-21-043 (Order 84-51), § 289-02-020, filed
)/12/84. Statutory Authority: Chapter 70.48 RCW
nd 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-
2-020, filed by 11/28/79. Statutory Authority: RCW
0.48.050(1). 79-07-067 (Order 2), § 289-02-020, filed
/27/79.]

WAC 289-02-030 Classification change. Under au-
hority cited in RCW 70.48.050 (1)(c) the commission
shall classify each jail and each jail shall function in
compliance with the provisions of its classification as de-
fined in RCW 70.48.020 and the applicable administra-
tive codes.

A jurisdiction may request a change of classification
by submitting a written request to the commission stat-
ing the qualification therefor. The commission shall act
on the request within ninety days. Upon denial of the
request the appeal process as outlined in RCW
70.48.080(4) may be used.

Before granting a change in any jail classification the
commission shall determine that the requesting jail
meets all standards for the requested classification.
[Statutory Authority: RCW 70.48.050(1). 79-07-067
(Order 2), § 289-02-030, filed 6/27/79.]

WAC 289-02-040 Classification and uses of holding facilities. (1) The corrections standards board shall clas-
sify each holding facility as a "6-hour," "72-hour," or
"30-day" holding facility, pursuant to WAC 289-02-
030. (2) Pursuant to RCW 70.48.050 (1)(c) and with
the approval of the court having jurisdiction of the pris-
oner, a sentenced prisoner may serve up to four 72-hour
sentences in a 72-hour holding facility: *Provided*, That
no continuous portion thereof exceeds 72 hours and each
such portion is followed by a period of nonincarceration
which is at least as long as the period of incarceration.
(3) Pursuant to RCW 70.48.050 (1)(c) and with the ap-
proval of the court having jurisdiction of the prisoner, a
sentenced prisoner may serve two 30-day sentences in a
30-day holding facility: *Provided*, That no continuous
portion thereof exceeds 30 days and each such portion is
followed by a period of nonincarceration of at least seven
days. [Statutory Authority: RCW 70.48.050 (1)(c). 83-
24-046 (Order 35), § 289-02-040, filed 12/2/83.]

WAC 289-02-050 Classification and uses of special detention and work release facilities. (1) The corrections
standards board shall classify each special detention fa-
cility as a "72-hour" or "1-year" special detention fa-
cility pursuant to WAC 289-02-030.

(2) The corrections standards board shall classify each
work release facility as a work release facility, pursuant
to WAC 289-02-030. [Statutory Authority: RCW 70-
.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order
84-51), § 289-02-050, filed 10/12/84.]

Chapter 289-22 WAC
CUSTODIAL CARE STANDARDS--SERVICES AND PROGRAMS

WAC

289-22-100 Services. (Holding facilities.)
289-22-110 Programs. (Holding facilities.)
289-22-200 Services. (Detention and correctional facilities.)
289-22-210 Programs. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-22-010 Services. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-22-020 Programs. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-22-100 Services. (Holding facilities.) (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each holding facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at cost at least once a week at local stores. (30 day)

(b) The department of corrections or chief law enforcement officer may provide prisoners with a list of approved items to be purchased at cost. (72 hour) WAC 289-22-100 (1)(b) ADVISORY. (Not applicable - 6 hour)

(c) Commissary items shall include books, periodicals, and newspapers.

(d) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses. (30 day) (Not applicable - 72 hour, 6 hour)

(e) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Basic hair care. Reasonable arrangements should be made to provide basic hair care. (30 day) WAC 289-22-100(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Reading materials. Each jail should provide for reading materials and library services. WAC 289-22-100(3) ADVISORY

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers. (30 day) (Not applicable - 72 hour, 6 hour)

(5) Religious services.

(a) Upon reasonable request from a prisoner, the jail facility staff shall arrange for confidential religious consultation. (30 day) (72 hour - WAC 289-22-100 (5)(a) ADVISORY) (Not applicable - 6 hour)

(b) Holding facilities with an average daily population of twenty-five or more should arrange for weekly religious services. (30 day) WAC 289-22-100 (5)(c) ADVISORY (Not applicable - 72 hour, 6 hour)

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. (30 day) WAC 289-22-100 (5)(d) ADVISORY (Not applicable - 72 hour, 6 hour).

(d) Attendance at religious services shall be voluntary. (30 day) (Not applicable - 72 hour, 6 hour)

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in holding facilities with an opportunity to discuss their problems. (30 day, 72 hour) WAC 289-22-100 (6)(a) ADVISORY. (Not applicable - 6 hour)

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community, provided that the security of the facility is not jeopardized. (30 day, 72 hour) WAC 289-22-100 (6)(b) ADVISORY. (Not applicable - 6 hour)

(c) Prisoners are not required to receive counseling services unless ordered by the appropriate court or the disciplinary review body. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-22-100, filed 3/24/81.]

WAC 289-22-110 Programs. (Holding facilities.) (1) Each prisoner should be allowed an opportunity for physical exercise. WAC 289-22-110(1) ADVISORY.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. (30 day) WAC 289-22-110(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Participation in work programs by pretrial detainees shall be voluntary.

(4) Education or training programs. The department of corrections or chief law enforcement officer may allow the prisoner to contact or be contacted by community representatives of education or training programs. (30 day, 72 hour) WAC 289-22-110(4) ADVISORY. (Not applicable - 6 hour)

Chapter 289-22 WAC
CUSTODIAL CARE STANDARDS--SERVICES AND PROGRAMS

WAC

289-22-100 Services. (Holding facilities.)
289-22-110 Programs. (Holding facilities.)
289-22-200 Services. (Detention and correctional facilities.)
289-22-210 Programs. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-22-010 Services. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-22-020 Programs. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-22-100 Services. (Holding facilities.) (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each holding facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at cost at least once a week at local stores. (30 day)

(b) The department of corrections or chief law enforcement officer may provide prisoners with a list of approved items to be purchased at cost. (72 hour) WAC 289-22-100 (1)(b) ADVISORY. (Not applicable - 6 hour)

(c) Commissary items shall include books, periodicals, and newspapers.

(d) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses. (30 day) (Not applicable - 72 hour, 6 hour)

(e) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted. (30 day, 72 hour) (Not applicable - 6 hour)

(2) Basic hair care. Reasonable arrangements should be made to provide basic hair care. (30 day) WAC 289-22-100(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Reading materials. Each jail should provide for reading materials and library services. WAC 289-22-100(3) ADVISORY

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials. (30 day) (Not applicable - 72 hour, 6 hour)

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers. (30 day) (Not applicable - 72 hour, 6 hour)

(5) Religious services.

(a) Upon reasonable request from a prisoner, the jail facility staff shall arrange for confidential religious consultation. (30 day) (72 hour - WAC 289-22-100 (5)(a) ADVISORY) (Not applicable - 6 hour)

(b) Holding facilities with an average daily population of twenty-five or more should arrange for weekly religious services. (30 day) WAC 289-22-100 (5)(c) ADVISORY (Not applicable - 72 hour, 6 hour)

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. (30 day) WAC 289-22-100 (5)(d) ADVISORY (Not applicable - 72 hour, 6 hour).

(d) Attendance at religious services shall be voluntary. (30 day) (Not applicable - 72 hour, 6 hour)

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in holding facilities with an opportunity to discuss their problems. (30 day, 72 hour) WAC 289-22-100 (6)(a) ADVISORY. (Not applicable - 6 hour)

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community, provided that the security of the facility is not jeopardized. (30 day, 72 hour) WAC 289-22-100 (6)(b) ADVISORY. (Not applicable - 6 hour)

(c) Prisoners are not required to receive counseling services unless ordered by the appropriate court or the disciplinary review body. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-22-100, filed 3/24/81.]

WAC 289-22-110 Programs. (Holding facilities.) (1) Each prisoner should be allowed an opportunity for physical exercise. WAC 289-22-110(1) ADVISORY.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. (30 day) WAC 289-22-110(2) ADVISORY. (Not applicable - 72 hour, 6 hour)

(3) Participation in work programs by pretrial detainees shall be voluntary.

(4) Education or training programs. The department of corrections or chief law enforcement officer may allow the prisoner to contact or be contacted by community representatives of education or training programs. (30 day, 72 hour) WAC 289-22-110(4) ADVISORY. (Not applicable - 6 hour)

(5) Leisure time activity programs. Holding facilities should provide opportunities for all prisoners to participate in leisure time activities. WAC 289-22-110(5) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-22-110, filed 3/24/81.]

WAC 289-22-200 Services. (Detention and correctional facilities.) (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each detention and correctional facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at least once a week at local stores.

(b) Commissary items shall include books, periodicals, and newspapers, or the facility shall make arrangements to order any such items from publishers and/or local newsstands.

(c) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses.

(d) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoners account shall be accurately recorded and receipted.

(2) Basic hair care. All jails shall make reasonable arrangements to provide basic hair care.

(3) Library services. In consultation with state and/or local library service units, each jail shall make provision for library services.

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials.

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers.

(5) Religious services.

(a) Upon request from a prisoner, the jail facility shall arrange religious services or confidential religious consultation.

(b) Detention and correctional facilities with an average daily population of twenty-five or more shall arrange for weekly religious services.

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. WAC 289-22-200 (5)(c) ADVISORY.

(d) Attendance at religious services shall be voluntary, and prisoners who do not wish to hear or participate shall not be exposed to such services.

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in detention and correctional facilities with an opportunity to discuss their problems, interests, and program. WAC 289-22-200 (6)(a) ADVISORY.

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community. WAC 289-22-200 (6)(b) ADVISORY.

(c) Professionals should serve in an advisory capa[illegible] when jail facility personnel or community volunteer[illegible] gage in counseling. WAC 289-22-200 (6)(c) ADVISO[illegible]

(d) Counselors may submit written recommendations to the chief law enforcement officer or disciplinary review body. WAC 289-22-200 (6)(d) ADVISORY.

(e) Prisoners shall not be required to receive counseling services unless ordered by the appropriate court or the disciplinary review body.

(f) Prisoners being discharged should receive assistance in obtaining employment, housing, acceptable clothing, and transportation. WAC 289-22-200 (6)(f) ADVISORY. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-22-200, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-22-200, filed 3/18/81.]

WAC 289-22-210 Programs. (Detention and correctional facilities.) (1) Each prisoner shall be allowed three hours per week of physical exercise, to be scheduled on no less than three separate days. If weather does not permit outdoor exercise, it shall be provided indoors. Indoor or outdoor exercise areas shall be equipped with appropriate equipment and supplies to permit varied exercise or recreation.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. WAC 289-22-210(2) ADVISORY.

(3) Participation in work programs by pretrial d[illegible] ees shall be voluntary.

(4) Education and training programs.

(a) The department of corrections or chief law enforcement officer should arrange for the development of an education and training program, utilizing local school districts, colleges, trade schools, unions, industry, interested citizens, and other available community, state, and federal resources. WAC 289-22-210 (4)(a) ADVISORY.

(b) Paid staff member(s) should have designated responsibility for supervision of the education and training programs. WAC 289-22-210 (4)(b) ADVISORY.

(c) Approved correspondence courses should be available at the prisoner's request and expense. WAC 289-22-210 (4)(c) ADVISORY.

(d) Jails should provide courses to prepare qualified prisoners for the "General Education Development" test, and provide the opportunity to take the test. WAC 289-22-210 (4)(d) ADVISORY.

(5) Leisure time activity programs.

(a) Detention and correctional facilities should provide opportunities for all prisoners to participate in leisure time activities of their choice and abilities. Such activities may include athletic programs, hobbies and crafts, table games, radio and television, motion pictures, cards, puzzles, checkers and chess. WAC 289-22-210 (5)(a) ADVISORY.

(b) Volunteers may be used to plan and supervise e[illegible] ercise programs and other leisure time activiti[illegible] paid staff member(s) should have designated re[illegible] bility for supervision of such programs. WAC 289-[illegible]-210 (5)(b) ADVISORY.

(6) Alternative to confinement programs. With the concurrence of the department of corrections, or chief law enforcement officer, the disciplinary hearing body may recommend an alternative to confinement to the court of jurisdiction. WAC 289-22-210(6) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-22-210, filed 3/18/81.]

Chapter 289-24 WAC
CUSTODIAL CARE STANDARDS--COMMUNICATIONS

WAC

289-24-010	Introduction.
289-24-100	Telephone usage. (Holding facilities.)
289-24-110	Mail. (Holding facilities.)
289-24-120	Visitation. (Holding facilities.)
289-24-200	Telephone usage. (Detention and correctional facilities.)
289-24-210	Mail. (Detention and correctional facilities.)
289-24-220	Visitation. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-24-020	Communication with staff. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-030	Telephone usage. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-040	Mail. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-050	Visitation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-24-010 Introduction. It is assumed that mail will usually not be sent or received in 72 hour or 6 hour holding facilities, but facilities which do handle mail must comply with the applicable provisions in this chapter. [Statutory Authority: Chapter 70.48 RCW. Readopted by 81-08-014 (Order 13), § 289-24-010, filed 3/24/81. Prior: Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-010, filed 6/27/79.]

WAC 289-24-100 Telephone usage. (Holding facilities.) (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes). (30 day) (72 hour, 6 hour – WAC 289-24-100(1) ADVISORY)

(2) Telephone usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner: *Provided*, That established social telephone usage shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative.

(3) Long distance calls shall be at the prisoner's expense or collect: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.

(5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-100, filed 3/24/81.]

WAC 289-24-110 Mail. (Holding facilities.) (1) Newspapers, books, periodicals, other printed materials, and photographs.

(a) Prisoners shall generally be permitted to receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff. (30 day) (Not applicable – 72 hour, 6 hour)

(b) If such materials are withheld from a prisoner:

(i) The prisoner shall receive written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner shall be promptly informed of his right to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request;

(iii) A written decision of the review of the denial, including reason(s), shall be given to the prisoner requesting review. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one business day. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters including letters to attorneys, the courts, and elected federal, state, county and city officials. Prisoners without funds shall be permitted to mail up to three letters per calender week at public expense: *Provided*, That no limit may be set on the number of letters which may be sent to the prisoner's attorney or to the courts. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) No restrictions shall be placed on the number of letters a prisoner may receive or on the persons whom he may correspond, except by order of a co[illegible] competent jurisdiction, or as provided under (c) of [illegible] subsection. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) These rules shall not preclude a prisoner being required to place his name and return post office address

on outgoing mail. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Opening or censoring mail.

(i) No general restriction of the number of letters prisoners may receive or of classes of persons with whom they may correspond shall be made by facility rule or policy. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash, and checks and may be perused for content when the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. Whenever mail is not delivered by the jail staff directly to the prisoner to whom it is addressed, it shall be resealed. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) Except by order of a court of competent jurisdiction, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Notice of disapproval of prisoner mail.

(i) If a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(d) Limitations.

(i) Incoming mail of postconviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, county or city officials shall be opened only in the presence of the addressee. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Mail to or from attorneys, courts, or elected federal, state, county or city officials shall not be read. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney–client mail or correspondence with the courts. (30 day) (Not applicable – 72 hour, 6 hour)

(3) Packages. If a facility allows prisoners to send or receive packages:

(a) All packages shall be opened and inspected. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be promptly delivered to the prisoner, unless such package is opened in the presence of the prisoner and all items are given directly to him. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Outgoing. Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations. (30 day) (Not applicable – 72 hour, 6 hour)

(4) Contraband.

(a) Items which are not permitted by jail rules may be destroyed upon the prisoner's written request, placed in the prisoner's personal property box, or returned collect to the sender. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Permissible items received in the mail, including money or checks, shall be recorded by a staff member and notification thereof given to the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Contraband, as defined in RCW 9A.76.010, shall be turned over to the proper authorities, for handling as evidence, for disciplinary action or possible prosecution under RCW 9A.76.140, 9A.76.150, or 9A.76.160, or other applicable statute(s). (30 day) (Not applicable – 72 hour, 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81–08–014 (Order 13), § 289–24–110, filed 3/24/81.]

WAC 289–24–120 Visitation. (Holding facilities.) (1) Security.

(a) Open visitation should be provided for those prisoners determined to present a minimal degree of risk to the safety and security of the institution. (30 day) WAC 289–24–120 (1)(a) ADVISORY. (Not applicable – 72 hour, 6 hour)

(b) The degree of security required for each prisoner during visitation shall be determined by the person or persons responsible for classification under WAC 289–16–130. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Social visits.

The department of corrections or chief law enforcement officer shall establish and post rules which permit reasonable opportunities for social visits for each prisoner and specifying times therefor. (30 day) (72 hour WAC 289-24-120(2) ADVISORY) (Not applicable – 6 hour)

(3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attorney or legal assistants and his pastor at reasonable hours.

(b) The department of corrections or chief law enforcement officer should allow confidential visits from business, educational and law enforcement professionals. (30 day, 72 hour) WAC 289-24-120(3)(b) ADVISORY. (Not applicable – 6 hour)

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include, but not to be limited to:

(i) An attempt, or reasonable suspicion of an attempt, to bring contraband into the facility.

(ii) Obvious influence or effect of alcohol or controlled substances.

(iii) Request from the prisoner's physician.

(iv) Request from the prisoner.

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security, or management, or to the welfare of prisoners, staff, or other visitors.

(d) If a visitor is refused admittance during regular visiting hours;

(i) The prisoner shall receive notice of the refusal stating the reasons therefor.

(ii) The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iii) A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-24-120, filed 3/24/81.]

WAC 289-24-200 Telephone usage. (Detention and correctional facilities.) (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes).

(2) Telephone usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner: *Provided*, That established social telephone usage hours shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative.

(3) Calls shall be at the prisoner's expense or collect: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.

(5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-200, filed 3/18/81.]

WAC 289-24-210 Mail. (Detention and correctional facilities.) (1) Newspapers, books, periodicals, other printed materials, and photographs.

(a) Prisoners shall generally be permitted to subscribe to and otherwise receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff.

(b) When such materials are withheld from a prisoner:

(i) The prisoner shall receive immediate written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner shall be promptly informed of his right to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request;

(iii) A written decision of the review of the denial, including reason(s), shall be given to the prisoner requesting review.

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one business day.

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters. Prisoners without funds shall be permitted to mail up to three letters per calendar week at public expense or with postage purchased from the prisoner welfare fund, provided upon proper showing the number may be increased. Each prisoner shall be permitted to mail out any number of letters to his attorney, and the courts.

(iii) No restriction shall be placed on the number of letters a prisoner may receive or on the persons with whom he may correspond, except by court order of a court of competent jurisdiction, or as provided under (c) of this subsection.

(iv) These rules shall not preclude a prisoner being required to place his name and a return post office address on outgoing mail.

(b) Opening or censoring mail.

(i) No general restriction of the number of letters prisoners may receive or of classes of persons with whom they may correspond shall be made by facility rule or policy.

(ii) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash and che and may be perused for content when the respons staff person designated by the department of correctio or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. Whenever mail is not delivered by

the jail staff directly to the prisoner to whom it is addressed, it shall be resealed.

(iii) Except by order of a court of competent jurisdiction, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law.

(c) Notice of disapproval of prisoner mail.

(i) When a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner.

(ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name.

(iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner.

(d) Limitations.

(i) Incoming mail of postconviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, county or city official, shall be opened only in the presence of the addressee.

(ii) Mail to or from attorneys, courts or elected federal, state, county, or city officials shall not be read.

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney-client mail or correspondence with the courts.

(3) Packages.

(a) Incoming.

(i) If a facility allows prisoners to receive packages, all packages shall be opened and inspected.

(ii) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be promptly delivered to the prisoner, unless such package is opened in the presence of the prisoner and all items are given directly to him.

(b) Outgoing. Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations.

(4) Contraband. Items which are not permitted by jail rules may be destroyed upon the prisoner's written request, placed in the prisoner's personal property box, or returned collect to the sender. A receipt for permissible items received in the mail, including money or checks shall be signed by a staff member and a copy thereof promptly delivered to the prisoner. Contraband, as defined in RCW 9A.76.010, shall be turned over to the proper authorities, for handling as evidence, for disciplinary action or possible prosecution under RCW 9A.76.140, 9A.76.150, 9A.76.160, or other applicable statute(s). [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-210, filed 3/18/81.]

WAC 289-24-220 Visitation. (Detention and correctional facilities.) (1) General.

(a) Open visitation should be provided for those prisoners determined to present a minimal degree of risk to the safety and security of the institution. WAC 289-24-220 (1)(a) ADVISORY.

(b) The degree of security required for each prisoner during visitation shall be determined by the person or persons responsible for classification under WAC 289-16-230.

(2) Social visits.

(a) The department of corrections or chief law enforcement officer shall establish and post rules governing social visits and specifying times therefor.

(b) Each prisoner shall be allowed a minimum of three hours total visitation per week.

(c) Immediate family, i.e., wives, husbands, children, parents, brothers, sisters, grandparents, aunts, and uncles, and any person so related through marriage, shall be given preference for allowed visitation time unless the prisoner specifies otherwise.

(d) Except for immediate family members, visitors seventeen years of age and under shall be accompanied by a parent or guardian.

(e) The department of corrections or chief law enforcement officer or his designee may grant special visitation privileges to visitors who have traveled long distances, to visitors for hospitalized prisoners, and for other unusual circumstances.

(3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attorney or legal assistants and his pastor.

(b) By prior arrangement with the department of corrections or the chief law enforcement officer or his designee, a prisoner shall be allowed confidential visits for business or educational reasons.

(c) Law enforcement professionals shall be allowed to interview prisoners at reasonable times and with prior notice, unless it appears circumstances do no permit delay.

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted at the entrances to the facility and at the entrance to the visiting area.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include but not be limited to:

(i) An attempt, or reasonable suspicion of an attempt to bring contraband into the facility;

(ii) Obvious influence or effect of alcohol or controlled substances;

(iii) Request from the prisoner's physician;

(iv) Request from the prisoner;

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security or management or the welfare of prisoners, staff, or other visitors.

(d) Whenever a visitor is refused admittance during regular visiting hours, the prisoner shall receive notice of the refusal stating the reasons therefor. The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-220, filed 3/18/81.]

Corrections Standards Board

CUSTODIAL CARE STANDARDS FOR HOLDING, DETENTION AND CORRECTIONAL FACILITIES

Incorporating All Additions And Amendments Through December 31, 1984

CHAPTER 289-02 WAC
INTRODUCTION AND DEFINITIONS

CHAPTER 289-14 through CHAPTER 289-24 WAC
CUSTODIAL CARE STANDARDS
(Holding, Detention and Corrections)

Chapter 289-02 WAC
INTRODUCTION AND DEFINITIONS

WAC
289-02-010 General.
289-02-020 Definitions.
289-02-030 Classification change.
289-02-040 Classification and uses of holding facilities.
289-02-050 Classification and uses of special detention and work release facilities.

WAC 289-02-010 General. The rules set forth in this title are adopted by the state jail commission pursuant to and for purposes of fulfilling the mandates of the City and County Jails Act, chapter 70.48 RCW. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-010, filed 6/27/79.]

WAC 289-02-020 Definitions. The following words and phrases shall have the meaning indicated whenever used in this title unless a different meaning is specifically indicated.

(1) "Clear floor space" means floor area which is unobstructed by any permanent fixture.

(2) "Contraband" means any substance or item not specifically permitted by a jail administration.

(3) "Commission" or "state jail commission" refers to the commission established pursuant to RCW 70.48.030.

(4) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed and used for housing of adult persons serving terms not exceeding one year for the purposes of punishment, correction, and rehabilitation following conviction of a criminal offense.

(5) "Day room" means a multipurpose area separate and distinct from a sleeping area, but adjacent thereto, designed primarily for prisoner leisure time activity exclusive of physical exercise activity.

(6) "Detention facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the housing of adult persons for purposes of punishment and correction after sentencing or persons serving terms not to exceed ninety days.

(7) "Dormitory" means a secured sleeping and living area occupied by more than one prisoner.

(8) "Governing unit" means the city and/or county or any combination of cities and/or counties responsible for the operation, supervision, and maintenance of a jail.

(9) "Holding facility" means a facility operated by a governing unit primarily designed, staffed and used for the temporary housing of adult persons charged with a criminal offense prior to trial or sentencing and for the temporary housing of such persons during or after trial and/or sentencing, but in no instance shall the housing exceed thirty days.

(10) "Jail" means any holding, detention, or correctional facility as defined herein, or any farm, camp, or work release facility established and operated in conjunction with a jail.

(11) "Living area" includes single cells, dormitories, day room area and leisure time activity space.

(12) "Major urban" refers to a county or combination of counties which contains a city having a population greater than twenty-six thousand based on the 1978 projections of the office of financial management.

(13) "Medium urban" refers to a county or combination of counties which contains a city having a population equal to or greater than ten thousand but less than twenty-six thousand based on the 1978 projections of the office of financial management.

(14) "Public records" include any writing or recording which contains information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or returned by any state or local agency regardless of its physical form or characteristics.

(15) "Rural" refers to a county or combination of counties which does not contain a city having a population of more than ten thousand based on the 1978 projections of the office of financial management.

(16) "Single cell" means a secured sleeping area occupied by only one prisoner, and which is physically and visually separated from other prisoner sleeping areas on three of its four sides.

(17) "Communicable disease" means micro-organisms that are easily transferable from one body to another creating a condition which must be reported to the health department.

(18) "Work release program" means a program of scheduled release from the physical confines of a city or county jail, special detention facility or work release center for the purpose of employment, seeking employment or school.

(19) "Work release facility" means any building or designated portion of a building primarily designed, staffed, and used for the housing of persons participating in a work release program.

(20) "Leisure time activity space" means day room area, program area and exercise area.

(21) "Special detention facility" means a minimum security facility operated by a governing unit primarily designed, staffed, and used for the housing of special populations of sentenced persons who do not require the level of security normally provided in detention and correctional facilities including, but not necessarily limited to, persons convicted of offenses under RCW 46.61.502 or 46.61.504.

(22) "Substantially remodeled" means significant alterations made to the physical plant of a jail to conform with the physical plant standards.

(23) "Strip search" means having a person remove or arrange some or all of his or her clothing so as to permit an inspection of the genitals, buttocks, anus or undergarments of a person or breasts of a female person. [Statutory Authority: RCW 10.79.060 - 10.79.110. 85-01-032 (Resolution No. 84-51), § 289-02-020, filed 12/12/84. Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-02-020, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW and 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-02-020, filed by 11/28/79. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-020, filed 6/27/79.]

WAC 289-02-030 **Classification change.** Under authority cited in RCW 70.48.050 (1)(c) the commission shall classify each jail and each jail shall function in compliance with the provisions of its classification as defined in RCW 70.48.020 and the applicable administrative codes.

A jurisdiction may request a change of classification by submitting a written request to the commission stating the qualification therefor. The commission shall act on the request within ninety days. Upon denial of the request the appeal process as outlined in RCW 70.48.080(4) may be used.

Before granting a change in any jail classification the commission shall determine that the requesting jail meets all standards for the requested classification. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-02-030, filed 6/27/79.]

WAC 289-02-040 **Classification and uses of holding facilities.** (1) The corrections standards board shall classify each holding facility as a "6-hour," "72-hour," or "30-day" holding facility, pursuant to WAC 289-02-030. (2) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve up to four 72-hour sentences in a 72-hour holding facility: *Provided*, That no continuous portion thereof exceeds 72 hours and each such portion is followed by a period of nonincarceration which is at least as long as the period of incarceration. (3) Pursuant to RCW 70.48.050 (1)(c) and with the approval of the court having jurisdiction of the prisoner, a sentenced prisoner may serve two 30-day sentences in a 30-day holding facility: *Provided*, That no continuous portion thereof exceeds 30 days and each such portion is followed by a period of nonincarceration of at least seven days. [Statutory Authority: RCW 70.48.050 (1)(c). 83-24-046 (Order 35), § 289-02-040, filed 12/2/83.]

WAC 289-02-050 **Classification and uses of special detention and work release facilities.** (1) The corrections standards board shall classify each special detention facility as a "72-hour" or "1-year" special detention facility pursuant to WAC 289-02-030.

(2) The corrections standards board shall classify each work release facility as a work release facility, pursuant to WAC 289-02-030. [Statutory Authority: RCW 70.48.050 (3)(c) and 1984 c 110 § 7. 84-21-043 (Order 84-51), § 289-02-050, filed 10/12/84.]

Chapter 289-14 WAC
CUSTODIAL CARE STANDARDS—ADMINISTRATION

WAC

289-14-005	Introduction to custodial care standards.
289-14-010	Emergency suspension of custodial care standards.
289-14-100	General administration. (Holding facilities.)
289-14-120	Training. (Holding facilities.)
289-14-130	Records. (Holding facilities.)
289-14-200	General administration. (Detention and correctional facilities.)
289-14-210	Determination of staff positions. (Detention and correctional facilities.)
289-14-220	Training. (Detention and correctional facilities.)
289-14-230	Records. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-14-020	Staffing. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-14-030	Records. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-14-005 Introduction to custodial care standards. (1) The provisions of chapters 289-14 through 289-24 WAC incorporate custodial care standards applicable to holding, detention or correctional facilities as defined under WAC 289-02-020. Each standard is mandatory for the classification to which it applies unless specifically labeled as advisory or not applicable.

(2) Within each chapter, paragraphs numbered from 010 to 099 are introductory or definitional in nature and apply to all jails unless otherwise noted. Paragraphs numbered from 100 to 199 apply to holding facilities. Paragraphs numbered from 200 to 299 apply to detention and correctional facilities unless otherwise noted. For this purpose, "holding" and "detention" and "correctional" facilities are defined as set forth in WAC 289-02-020. For purposes of the holding facility standards, a distinction is made between different maximum time periods persons are held within such facility, including thirty-day facility, seventy-two hour facility, and six-hour facility.

(3) The adoption of the mandatory custodial care standards is intended to meet minimum legal requirements relating to prisoner health, welfare, and security and does not preclude the adoption of more stringent requirements not in conflict with such standards by the governing authority, chief law enforcement officer, or department of corrections responsible for a particular jail. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-005, filed 3/24/81. 81-07-057 (Order 10), § 289-14-005, filed 3/18/81. Statutory Authority: Chapter 70.48 RCW and 1979 1st ex.s. c 232. 79-12-058 (Order 5), § 289-14-005, filed 11/28/79. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-005, filed 6/27/79.]

WAC 289-14-010 Emergency suspension of custodial care standards. Nothing in these standards shall be construed to deny the power of any department of corrections or chief law enforcement officer to temporarily suspend any standard herein prescribed in the event of any emergency which threatens the safety or security of any jail, prisoners, staff, or the public. Only such standards as are directly affected by the emergency may be suspended and the department of corrections or chief law enforcement officer shall notify the state jail commission within three business days of such suspension: *Provided*, That suspension of standards relating to overcrowding is subject to the additional requirements of WAC 289-15-120 and 289-15-220. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-010, filed 3/18/81. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-14-010, filed 6/27/79.]

WAC 289-14-100 General administration. (Holding facilities.) There shall be written policies and procedures which shall be made available to each authorized person who is responsible for the confinement of a prisoner in the facility. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-100, filed 3/24/81.]

WAC 289-14-120 Training. (Holding facilities.) (1) All authorized persons responsible for the confinement of a prisoner shall receive an orientation to the policies and procedures of the facility relative to their duties. On the job training shall be provided as deemed appropriate by the chief law enforcement officer.

(2) All jail staff whose primary responsibility is the supervision of prisoners shall successfully complete the Washington state criminal justice training commission basic correctional academy within the first year of their employment unless such training has already been received. (30 day) (Not applicable – 72 hour, 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-120, filed 3/24/81.]

WAC 289-14-130 Records. (Holding facilities.) (1) Confidentiality. All holding facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(2) Individual prisoner records.

(a) An individual file or record shall be kept for each prisoner.

(b) If formal booking occurs in the facility, the information should be recorded on a booking form. WAC 289-14-130 (2)(b) ADVISORY

(3) Medical.

(a) Any prisoner medical information other than that included in the prisoner's individual file under WAC 289-14-130 (2)(a) shall be maintained separately to the extent necessary to maintain confidentiality. (30 day, 72 hour) (Not applicable - 6 hour)

(b) Any medical problems experienced by a prisoner while in the facility shall be recorded and such records maintained. Information concerning medical problems shall be transmitted at the time the prisoner is transported to another jail, hospital, or other facility.

(4) Prisoner population accounting. Each holding facility shall keep a jail register as required by RCW 70.48.100.

(5) Infraction and disciplinary. Written records shall be maintained for all incidents which result in major property damage or bodily harm.

(6) Incident reports. The jail commission shall be notified within seven business days of any death, completed escape from the secure area of the facility or serious fire. Reports of such incidents shall be retained.

(7) Activity log. A log of daily activity should be kept within the facility. WAC 289-14-130(7) ADVISORY

(8) Personnel. Performance and training records should be maintained for each staff member employed by the facility. WAC 289-14-130(8) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-130, filed 3/24/81.]

WAC 289-14-200 General administration. (Detention and correctional facilities.) (1) The department of corrections or the chief law enforcement officer of all jails shall develop and maintain an organizational chart and an operations manual of policies and procedures.

(2) Such chart and manual shall be reviewed by all staff and such review noted by signature prior to any assignment.

(3) All jail policies and procedures should be reviewed and revised as appropriate on a continuing basis but at least yearly. WAC 289-14-200(3) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-200, filed 3/18/81.]

WAC 289-14-210 Determination of staff positions. (Detention and correctional facilities.) (1) Written job descriptions shall define the responsibilities and designate the qualifications for each staff position.

(2) Qualifications for correctional officers who have direct responsibility over prisoners and who are hired on or after the effective date of these minimum standards shall include, but not be limited to, a high school diploma, or equivalent.

(3) All jail staff shall be selected in accordance with chapter 41.14 RCW and/or other applicable legal requirements and shall be retained upon proven ability to perform.

(4) Appropriate physical fitness standards should be set and enforced for all jail staff. WAC 289-14-210(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-210, filed 3/18/81.]

WAC 289-14-220 Training. (Detention and correctional facilities.) (1) All jails shall provide preservice orientation to each newly hired jail staff member prior to being assigned to duty, regardless of his or her previous training or experience prior to the assignment of any jail duties. Such training may be provided either by existing jail staff or other qualified persons, and must be verified by a written outline, and shall include, but not necessarily be limited to:

(a) Review and understanding of all policies and procedures relating to his/her job responsibilities, specifically:

(i) Agency organization;

(ii) Admission and release procedures;

(iii) Security and safety procedures;

(iv) Contraband control, definition of, etc.;

(v) Prisoner discipline;

(vi) Medical and mental health procedures;

(vii) Use of force;

(viii) Confidentiality of jail records (RCW 70.48.100(2)).

(b) Review of the Washington criminal justice system and the current Washington state jail commission custodial care standards as they relate to jail duties.

(c) Identification and understanding of the function of agencies whose authority may extend to the jail prisoners.

(d) Appropriate training and qualification in the use of weapons when jail duties include possession or carrying of a firearm.

(2) All persons directly responsible for the supervision of prisoners shall successfully complete the Washington state criminal justice training commission basic correctional academy within the first year of their employment, as required by WAC 139-36-010 unless such training has already been received.

(3) Staff training shall further include such training as required by WAC 289-20-230.

(4) All jails should provide at least twenty hours of in-service training to each correctional officer each year (following academy training for purposes of updating training previously received). WAC 289-14-220(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-220, filed 3/18/81.]

WAC 289-14-230 Records. (Detention and correctional facilities.) The department of corrections or chief law enforcement officer for each jail shall establish a records system which shall comply with the requirements of this section.

(1) Fiscal. Each detention and correctional facility shall maintain fiscal records which clearly indicate facility operation and maintenance costs according to generally accepted accounting principles. Such records shall separate specific jail functions from other department functions.

(2) Confidentiality. All jail facility personnel shall be advised of the statutory provisions for confidentiality of jail records under RCW 70.48.100(2).

(3) Individual prisoner records. The information required by the booking and release form provided by the commission shall be obtained for each booking and release. Such information as prescribed by the commission will be retained in written form or within computer records. Other information retained in each prisoner's jail record shall include, but not be limited to, court orders, personal property receipts, infraction reports, reports of disciplinary actions and/or unusual occurrences, and, in case of death, disposition of prisoner's property and remains.

(a) Medical. Health care records shall be maintained separately in accordance with WAC 289-20-250 to the extent necessary to maintain their confidentiality.

(b) Prisoner access. Each prisoner shall be permitted reasonable access to his jail record, or reasonable access to information contained therein. Provided that such access may be limited only on substantial grounds of institutional security.

(c) Transfer. When a prisoner is transferred to another facility, copies or summaries of all health records shall be transferred to the receiving facility, provided that the requirements of WAC 289-20-250 regarding confidentiality are followed. Applicable court orders shall be transferred. Summaries or copies of disciplinary records shall be transferred where such information may serve a substantial governmental interest in the safety or security of the receiving institution.

(4) Population reports. Each jail shall complete and submit monthly reports on its population on forms provided by the jail commission.

(5) Population accounting. Each jail should, in addition, maintain an ongoing and a permanent accounting of its population by its own confinement categories, location, or classification within the jail. WAC 289-14-230(5) ADVISORY.

(6) Jail register. Each jail shall maintain an accurate jail register as required by RCW 70.48.100.

(7) Infraction and disciplinary. Each department of corrections or chief law enforcement officer shall maintain a written record of all incidents which result in substantial property damage or bodily harm, or serious threat of substantial property damage or bodily harm. Major infraction reports and disciplinary actions under chapter 289-16 WAC shall become part of the prisoner's jail record.

(8) Incidents and emergencies. All serious incidents and emergencies shall be recorded on forms provided by the commission. For purposes of this section, the term "serious incidents and emergencies" includes, but is not limited to any death which occurs within a jail, attempted suicides, epidemics, completed escapes, any completed assault upon staff or prisoners, serious fires, flooding or other natural disasters or riots.

(9) Incident reports. An incident report on any death, completed escape, or serious fire shall be submitted to the jail commission on the form provided by the commission. All such incident reports for a given month shall be submitted on a monthly basis with the monthly population accounting form. A copy of all incident reports shall be retained at the jail.

(10) Activity log. All jails should keep a log of daily activity within the facility for future accountability. WAC 289-14-230(10) ADVISORY.

(11) Personnel training. Training records shall be maintained for each staff member employed by a detention or correctional facility.

(12) Personnel performance. Performance records should be maintained for each staff member employed by a detention or correctional facility. WAC 289-14-230(12) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-14-230, filed 3/18/81.]

Chapter 289-15 WAC
CUSTODIAL CARE STANDARDS--SAFETY

WAC

289-15-100	Emergency procedures. (Holding facilities.)
289-15-110	Fire prevention and suppression. (Holding facilities.)
289-15-120	Overcrowding. (Holding facilities.)
289-15-130	Use of force. (Holding facilities.)
289-15-200	Emergency procedures. (Detention and correctional facilities.)
289-15-210	Fire prevention and suppression. (Detention and correctional facilities.)
289-15-220	Overcrowding. (Detention and correctional facilities.)
289-15-225	Maximum capacities.
289-15-230	Use of force. (Detention and correctional facility.)

WAC 289-15-100 Emergency procedures. (Holding facilities.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written emergency procedures as appropriate for the specific facility.

(2) The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility.

(3) Emergency plans shall always be available to the authorized person in charge of the jail.

(4) All personnel should be trained in the emergency procedures. WAC 289-15-100(4) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-100, filed 3/24/81.]

WAC 289-15-110 Fire prevention and suppression. (Holding facilities.) The department of corrections or chief law enforcement officer shall establish and maintain a written fire prevention, suppression, and evacuation plan. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-110, filed 3/24/81.]

WAC 289-15-120 Overcrowding. (Holding facilities.) No prisoner shall be required to sleep on a mattress on the floor in excess of seventy-two hours, or directly on the floor for any period of time, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others, or substantially compromising the security of the jail. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-120, filed 3/24/81.]

WAC 289-15-130 Use of force. (Holding facilities.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written policies and procedures regarding the use of force and the use of deadly force, which shall be consistent with this section.

(2) Only lawful and reasonable force to the person of a prisoner shall be used.

(3) Deadly force shall not be used on a prisoner unless the person applying the deadly force reasonably believes that the prisoner poses an immediate threat of death or grievous physical injury to an officer or employee of a jail or any other person, or to prevent the escape of a prisoner arrested for a felony, and the officer reasonably believes that other reasonable and available alternatives would be ineffective.

(4) A written report on the use of force or deadly force shall be made. In the case of deadly force a written report shall be made by each staff member involved or observing the use of such deadly force. The report(s) on the use of deadly force shall be reviewed by the chief law enforcement officer or department of corrections or his designee who shall, if appropriate, investigate the incident further and make a determination whether appropriate, justified or reasonable force was used. Said determination shall be made a matter of record.

(5) The "carotid sleeper hold" means any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck without inhibiting breathing by compression of the airway in the neck and without compression of the larynx or trachea. The carotid sleeper hold shall be considered to be deadly force.

(6) The "choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck. The choke hold shall be considered to be deadly force.

(7) The carotid sleeper hold generally presents less danger of causing serious injury or death than the choke hold and therefore is generally preferred over the choke hold in situations where such holds are permissible.

(8) No neck hold shall be used, except by persons instructed in the dangers of the neck holds, its definition as deadly force, and the proper use and constraints of the carotid sleeper hold, by someone specifically trained in the use and dangers of neck holds. Refresher training shall be provided on at least an annual basis.

(9) Medical attention shall be administered to the prisoner by a qualified medical professional as soon as possible after the use of the carotid sleeper hold or the choke hold. [Statutory Authority: RCW 70.48.050 (3)(c). 84-16-042 (Order 84-02), § 289-15-130, filed 7/27/84. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-15-130, filed 3/24/81.]

WAC 289-15-200 Emergency procedures. (Detention and correctional facilities.) (1) The department of corrections or the chief law enforcement officer shall formulate written emergency procedures relative to escapes, riots, rebellions, assaults, injuries, suicides or attempted suicides, outbreak of infectious disease, fire, acts of nature, and any other type of major disaster or

disturbance. The emergency plan shall outline the responsibilities of jail facility staff, evacuation procedures, and subsequent disposition of the prisoners after removal from the area or facility. Such plan shall be formulated in cooperation with the appropriate supporting local government units.

(2) Emergency plans shall always be available to the officer in charge of the jail, and all personnel shall be aware of, and trained in, the procedures. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-200, filed 3/18/81.]

WAC 289-15-210 **Fire prevention and suppression. (Detention and correctional facilities.)** (1) The department of corrections or chief law enforcement officer shall consult with the local fire department having jurisdiction over the facility in developing a written fire prevention and suppression plan which shall include, but not be limited to:

(a) A fire prevention plan to be part of the operations manual of policies and procedures;

(b) A requirement that staff are alert to fire hazards during their daily rounds.

(c) Fire prevention inspections at least semi-annually by the fire department having jurisdiction; provided, that when such inspections cannot be obtained from such fire department the facility shall provide such inspections by an independent, qualified source.

(d) Recommendations resulting from inspections should be promptly implemented WAC 289-15-210 (1)(d) ADVISORY; and

(e) A regular schedule for inspections, testing and servicing fire suppression equipment.

(2) Results of all fire department inspections shall be kept on file at the jail, together with records of actions taken to comply with recommendations from such reports. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-15-210, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-210, filed 3/18/81.]

WAC 289-15-220 **Overcrowding. (Detention and correctional facilities.)** (1) Purpose. The purpose of this section is to provide a means for determining and setting maximum population figures for local detention and correctional facilities. In so doing, the commission recognizes that each facility is unique and that the establishment of rigid criteria for defining and identifying overcrowding in most existing facilities would be unworkable. However, overcrowding remains a concern of constitutional dimensions within local jails and must be addressed. It is the purpose of these standards to provide a firm approach to preventing overcrowding in new jail facilities and to create a workable and flexible process for addressing overcrowding in existing jails.

(2) No prisoner shall be required to sleep directly on the floor for any length of time, or on a mattress on the floor in excess of one 72-hour period, unless there are reasonable grounds to believe that such provisions are necessary to prevent the prisoner from damaging property, inflicting bodily harm to himself or others or substantially compromising the security of the jail.

(3) Existing jails. (a) The director of the local department of corrections or chief law enforcement officer shall propose a maximum capacity for each detention or correctional facility within his or her jurisdiction. This capacity shall reflect a judgment as to the maximum number of prisoners who may be housed within the facility in question in a humane fashion. Notice of such proposed maximum capacity shall be delivered to the state jail commission within 30 days of the final adoption of this revision to this standard. The proposed maximum capacity shall be the maximum capacity of the facility unless revised by the commission.

(b) Within 45 days of the receipt by the jail commission of notice of a proposed maximum capacity for a given facility, the commission shall schedule a public meeting to concur in or revise those capacity figures, pursuant to RCW 34.04.025 through 34.04.058. A written notice of such meeting shall be provided by the director to all known interested parties at least 20 days in advance of such meeting. It shall be the responsibility of the jail commission to establish cause for revising the maximum capacities proposed by the governing unit in question. The commission's concurrence in or revision of proposed maximum capacities shall take into account a detailed analysis of the following factors:

(i) The average amount of cell and day room sp which would be available to each prisoner at maximu capacity;

(ii) The number of hours each day prisoners in the area have access to day rooms;

(iii) If the day room access is less than 12 hours each day, the amount of space per prisoner in the cell area;

(iv) The classification and types of prisoners held;

(v) The average length of stay of prisoners held;

(vi) The maximum length of actual stay of prisoners held;

(vii) The nature and amount of physical exercise available to prisoners;

(viii) The amount of access to visitation;

(ix) The amount of other out-of-living area time available to prisoners;

(x) Description of other services and programs available to prisoners, especially those covered by custodial care standards; and

(xi) The number of incidents occurring in the jail in the previous 12 months, classified by the categories of the population accounting form.

(c) In appropriate cases, the commission may establish a maximum capacity figure for an existing jail on an interim basis, when further study as to the circumstances appears necessary to make a final decision, in which case a date no more than six months in the future, shall be specified for a final determination with regard to maximum capacity.

(4) New facilities. The commission shall establis maximum capacity for each newly constructed detent or correctional facility which is funded at the total

fundable capacity set by the commission. Such maximum capacity shall be based upon the physical plant standards set forth in chapter 289-12 WAC.

(5) Overcrowding. (a) The maximum capacity may only be exceeded to the extent that the average daily population for any calendar month does not exceed the established maximum capacity.

(b) Any holding of prisoners beyond the established maximum capacity in a given calendar month, shall be reported by mailing the monthly population accounting form to the director by the department of corrections or chief law enforcement officer within the first five business days following the month. Each such case [or] [of] overcrowding shall be referred to the commission for possible enforcement action under chapter 289-30 WAC.

(c) Any report of conditions of overcrowding required under this section shall be considered as a notice of an emergency suspension of standards within the meaning of WAC 289-14-010.

(d) An emergency suspension of the overcrowding standard established under this section must be approved by the director.

(e) No emergency suspension of the standards relative to established maximum capacities within any calendar month shall be approved except when the following conditions are met:

(i) Any related suspension of other custodial care standards is also specifically approved;

(ii) All existing diversion programs have been fully utilized;

(iii) All prisoners being held for other jurisdictions have been transferred to those jurisdictions to the extent possible;

(iv) All facilities within adjacent counties have been utilized to the fullest extent reasonably practical and permissible by their classifications; and

(v) The jurisdiction provides the commission within 45 days with a plan setting forth alternatives to incarceration which will be examined and implemented.

(f) Each department of corrections or chief law enforcement officer shall establish, with the cooperation of the presiding judge of the superior court, a procedure for release of prisoners before the end of their term when overcrowding occurs as herein defined.

(g) In the event of overcrowding caused in part by the existence of state prisoners, the director shall contact the state department of corrections in an effort to have such prisoners removed.

(h) In the event of overcrowding caused in part by the existence of federal prisoners, the director shall contact the appropriate federal agency in an effort to have such prisoners removed. [Statutory Authority: Chapter 70.48 RCW. 82-01-091 (Order 21), § 289-15-220, filed 12/22/81; 81-08-001 (Order 12), § 289-15-220, filed 3/19/81.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 289-15-225 Maximum capacities. Pursuant to WAC 289-15-220, the maximum capacity of each detention and correctional facility within the state of Washington is established at the figure indicated below.

Detention Facilities	Correctional Facilities
Auburn (22)	Benton County (109)
Bremerton (23)	Chelan County (117)
Forks (11)	Clallam County (102)
Issaquah (6)	Clark County (300)
Olympia (temporary) (19)	Cowlitz County (91)
Stevens County (22)	Ferry County (22)
	Franklin County (76)
	Grant County (54)
	Grays Harbor County (74)
	Island County (29)
	Jefferson County (18)
	Kent (20)
	King County (1038)
	Kitsap County (103)
	Kitsap County Work Release (42)
	Kittitas County (45)
	Klickitat County (30)
	Lewis County (62)
	Lincoln County (8)
	Mason County (34)
	Okanogan County (67)
	Pacific County (14)
	Pend Oreille County (18)
	Pierce County (359)
	Skagit County (83)
	Skamania County (17)
	Snohomish County (116)
	Snohomish County Work Release (60)
	Spokane County (352)
	Thurston County (94)
	Walla Walla County (44)
	Whatcom County (82)
	Whitman County (34)
	Yakima County (274)

[Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070. 85-01-034 (Resolution No. 84-52), § 289-15-225, filed 12/12/84. Statutory Authority: RCW 70.48.050 (1)(c). 84-16-041 (Order 84-01), § 289-15-225, filed 7/27/84. Statutory Authority: RCW 70.48.050 (1)(a) and 70.48.070(4). 83-20-092 (Order 34), § 289-15-225, filed 10/5/83; 83-04-004 (Order 32), § 289-15-225, filed 1/21/83; 82-11-070 (Order 28), § 289-15-225, filed 5/17/82.]

WAC 289-15-230 Use of force. (Detention and correctional facility.) (1) The department of corrections or chief law enforcement officer shall establish and maintain written policies and procedures regarding the use of force and the use of deadly force, which shall be consistent with this section.

(2) Only lawful and reasonable force to the person of a prisoner shall be used.

(3) Deadly force shall not be used on a prisoner unless the person applying the deadly force reasonably believes that the prisoner poses an immediate threat of death or grievous physical injury to an officer or employee of a jail or any other person, or to prevent the escape of a prisoner arrested for a felony, and that the officer reasonably believes that other reasonable and available alternatives would be ineffective.

(4) A written report on the use of such force or deadly force shall be made. In the case of deadly force a written report shall be made by each staff member involved or observing the use of such deadly force. The report(s) shall be reviewed by the chief law enforcement officer or department of corrections or his designee who shall, if appropriate, investigate the incident further and make a determination whether appropriate, justified or reasonable force was used. Said determination shall be made a matter of record.

(5) The "carotid sleeper hold" means any hold or restraint specifically designed to inhibit blood flow through the carotid arteries of the neck without inhibiting breathing by compression of the airway in the neck and without compression of the larynx or trachea. The carotid sleeper hold shall be considered to be deadly force.

(6) The "choke hold" means any hold or restraint specifically designed to inhibit breathing by compression of the airway in the neck. The choke hold shall be considered to be deadly force.

(7) The carotid sleeper hold generally presents less danger of causing serious injury or death than the choke hold and therefore is generally preferred over the choke hold in situations where such holds are permissible.

(8) No neck hold shall be used, except by persons instructed in the dangers of the neck holds, its definition as deadly force, and the proper use and constraints of the carotid sleeper hold, by someone specifically trained in the use and dangers of neck holds. Refresher training shall be provided on at least an annual basis.

(9) Medical attention shall be administered to the prisoner by a qualified medical professional as soon as possible after the use of the carotid sleeper hold or the choke hold. [Statutory Authority: RCW 70.48.050 (3)(c). 84-16-042 (Order 84-02), § 289-15-230, filed 7/27/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-15-230, filed 3/18/81.]

Chapter 289-16 WAC
CUSTODIAL CARE STANDARDS--OPERATIONS

WAC

289-16-100	Admissions. (Holding facilities.)
289-16-110	Preclassification procedures. (Holding facilities.)
289-16-120	Orientation. (Holding facilities.)
289-16-130	Classification/segregation. (Holding facilities.)
289-16-140	Good time. (Holding facilities.)
289-16-150	Release and transfer. (Holding facilities.)
289-16-160	Transportation. (Holding facilities.)
289-16-200	Admissions. (Detention and correctional facilities.)
289-16-210	Preclassification procedures. (Detention and correctional facilities.)
289-16-220	Orientation. (Detention and correctional facilities.)
289-16-230	Classification/segregation. (Detention and correctional facilities.)
289-16-240	Good time. (Detention and correctional facilities.)
289-16-250	Release and transfer. (Detention and correctional facilities.)
289-16-260	Transportation. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-16-010	Admissions. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-020	Classification/segregation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-030	Release and transfer. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-16-040	Transportation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-16-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-16-100 Admissions. (Holding facilities.) (1) Authorized confinement. No prisoner shall be confined without proper legal authority.

(2) Telephone. Each prisoner, within a reasonable period of time after completion of booking, shall be advised of his right to, and be allowed to complete, at least two local or collect calls to persons of his choice who may be able to come to his assistance. If the prisoner chooses not to place the calls allowed, this information shall be noted on the booking form: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(3) Language problems. Reasonable provisions for communication with non-English speaking, handicapped and illiterate prisoners shall be provided.

(4) Booking process. The booking process shall be completed promptly unless extenuating circumstances necessitate delay.

(5) Search/examination, when allowed.

(a) The department of corrections or chief l forcement officer shall establish and maintain policies and procedures regarding pat searche searches, and body cavity searches, which shall sistent with this section.

(b) Each prisoner shall be searched for contra a manner consistent with this subsection and writ licies and procedures established thereunder, as sary to protect the safety of prisoners, staf institutional security.

(c) No strip search shall be conducted except ant to the written policies and procedures requi (a) of this subsection.

(d) No strip search shall be conducted prior prisoner's first court appearance unless there is able suspicion that the person has on his or her evidence of a crime, contraband, fruits of a crime, otherwise criminally possessed, a weapon, or other by means of which a crime has been or reasonab pears about to be committed. Reasonable suspicio be deemed to be present when a prisoner has be rested for:

(i) A violent offense as defined in 9.94A.030(17) or any successor statute;

(ii) An offense involving escape, burglary, or t of a deadly weapon; or

(iii) An offense involving possession of a drug c trolled substance under chapter 69.50 RCW or an cessor statute.

No strip search shall be authorized or conduc these cases unless a thorough pat-down search, a ough electronic metal-detector search, and a thc clothing search, where appropriate, do not satis safety, security or evidentiary concerns of the jail.

(e) A written record or records of any strip s shall be maintained in the individual file of each p strip searched, which record(s) shall contain the f ing information:

(i) The name and serial number of the officer ducting the strip search and of all others present c serving any part of the strip search;

(ii) The time, date, and place of the strip search;

(iii) Any weapons, criminal evidence, other co band, or health condition discovered as a result c strip search.

Except where reasonable suspicion is deemed p because of the nature of the arrest offense, this rep these reports shall also contain:

(iv) The name of the supervisor authorizing the search; and

(v) The specific facts constituting reasonable sus to believe the strip search was necessary.

confined in the facility in accordance with such written procedures: *Provided*, That this does not preclude designation of alternate persons to serve in such individuals' absence: *Provided further*, That certain classification functions, such as initial cell assignment, may be delegated, in writing, to staff not assigned to classification functions.

(c) It is recommended that no less than two facility staff members be responsible for classification determinations when reasonably possible. WAC 289-16-230 (1)(c) ADVISORY.

(d) For each prisoner confined in a detention or correctional facility, those responsible for classification shall determine the degree of security required, housing assignment, program eligibility, and regulations for association within and outside the confinement area.

(2) Classification procedures.

(a) Each prisoner confined in a detention or correctional facility shall be interviewed by the persons responsible for classification determinations or other designated staff. Where designated staff conduct the interviews, the information shall be reported to the classification committee, or person responsible in a uniform manner.

(b) Each prisoner shall be classified as soon as reasonably possible.

(c) The prisoner shall be promptly informed of any classification housing assignment decision other than "general population," and of his right to have that decision reviewed upon making a request. Such notice shall also be given with regard to any reclassification action.

(d) A prisoner who is dissatisfied with his housing assignment shall be entitled to a review of the decision by the department of corrections or chief law enforcement officer upon making a written request, and shall be promptly informed of this right. Such request shall be reviewed by the department of corrections, chief law enforcement officer, or a designated staff member supervisory to the classification committee, within 72 hours of its receipt by staff. The prisoner shall receive a written decision of the review of such assignment, including reason(s).

(3) Criteria for prisoner classification.

(a) The primary criteria for classification shall be the safety of the prisoner and the security of the institution.

(b) Juveniles.

(i) No juvenile shall be held in a jail without sight and sound separation from adult prisoners. For purposes of this standard, a juvenile is a person under the chronological age of eighteen, who has not been remanded to superior court jurisdiction: *Provided*, That no person under the chronological age of sixteen shall be held in a jail in which adult prisoners are also being held: *Provided further*, That this standard does not preclude or prohibit the housing of remanded pretrial prisoners under the chronological age of eighteen within juvenile detention facilities rather than city or county adult detention facilities.

(ii) All governing units are advised of the provisions of the Juvenile Justice and Delinquency Prevention Act of 1974 (Public Law 93-415) as amended by the Juvenile Amendments of 1980 (Public Law 96-509) which provide that no juveniles be housed in adult detention facilities after 1985, denies certain federal funds to states which do not comply with this requirement, and directs that guidelines shall be established for meeting this requirement over the five-year period. WAC 289-16-230 (3)(b)(ii) ADVISORY.

(c) Females shall be segregated from visual communication and physical contact with male prisoners except under [the] direct supervision of a staff person.

(d) Special problem prisoners who endanger the health and safety of other prisoners (or themselves) shall be segregated and closely supervised.

(e) Prisoners on work release or weekend confinement programs, and any other prisoners who have regular contact outside the jail shall be segregated from other prisoner categories.

(f) Factors to be considered in classification shall include, but are not limited to, age, type of crime, pretrial versus post-trial status, and offender sophistication.

(4) Administrative segregation.

(a) Written classification procedures shall include provisions for the separation of certain prisoners for their own protection, for purposes of investigation, and for the security of the facility.

(b) Written documentation shall be maintained for each case of administrative segregation. [Statutory Authority: Chapter 70.48 RCW. 81-08-001 (Order 12), § 289-16-230, filed 3/19/81; 81-07-057 (Order 10), 289-16-230, filed 3/18/81.]

Reviser's note: RCW 34.04.058 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 289-16-240 Good time. (Detention and correctional facilities.) The director of the department of corrections or the chief law enforcement officer should develop written policies regarding time off for good behavior. Such policies should insure that good time when authorized by sentencing courts, is given on a consistent basis, and in accordance with RCW 70.48.210 and 9.92.150. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-240, filed 3/18/81.]

WAC 289-16-250 Release and transfer. (Detention and correctional facilities.) (1) Release.

(a) The releasing officer shall positively determine prisoner identity and ascertain that there is legal authority for the release.

(b) The information required on the release forms provided by the commission shall be recorded for each prisoner released from the facility.

(c) All prisoners being released shall sign a witnessed receipt for personal property returned.

(d) Each prisoner discharged should receive a vis body check to detect changes from his admitting ph cal record. WAC 289-16-250 (1)(d) ADVISORY.

(2) Transfer. In addition to the release procedures designated above, the releasing officer shall determine

that the receiving unit or person has the authority to accept custody. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-250, filed 3/18/81.]

WAC 289-16-260 Transportation. (Detention and correctional facilities.) When jail facility staff are responsible for prisoner transportation and when the prisoner is still in the custody and under the supervision of the jail, the department of corrections or the chief law enforcement officer of each detention and correctional facility shall develop and maintain written instructions which insure the safety of the prisoners and staff shall be maintained. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-16-260, filed 3/18/81.]

Chapter 289-18 WAC
CUSTODIAL CARE STANDARDS—SECURITY

WAC

289-18-100 Staffing. (Holding facilities.)
289-18-110 Supervision and surveillance. (Holding facilities.)
289-18-120 Critical articles. (Holding facilities.)
289-18-200 Staffing. (Detention and correctional facilities.)
289-18-210 Supervision and surveillance. (Detention and correctional facilities.)
289-18-220 Critical articles. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-18-010 Supervision and surveillance. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-18-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-020 Critical articles. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-18-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-030 Emergency procedures. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-18-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-040 Emergency suspension of custodial care standards. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-18-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-18-050 Discipline. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-18-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-18-100 Staffing. (Holding facilities.) (1) General staffing. At all times at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance: *Provided*, That this section does not require the presence of such staff when no prisoners are being housed or booked in the facility.

(2) Same sex staffing. A jail staff member of the same sex as the prisoner shall be available in a reasonable time for all custodial activities which involve intimate physical contact or activities which are commonly afforded reasonable protection against opposite sex observation or supervision except where the health, safety, and security of the individual or the staff member would be jeopardized: *Provided*, That personal observation of prisoners for this or other sections of these standards may be by opposite sex staff so long as opposite sex privacy concerns are given appropriate protection.

(3) Surveillance.

(a) There shall be continual sight and/or sound surveillance of all prisoners.

(b) Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes: *Provided*, That special problem prisoners are subject to the more stringent personal observation and supervision requirements of other sections.

(c) Each prisoner shall be personally observed by staff at various times. All prisoner checks shall be recorded in writing and retained in the jail records.

(d) In the absence of unusual behavior or other concerns for prisoner security and health, personal observation of prisoners by staff may be reduced to, but should not be less frequent than, at least once within every sixty minute period. WAC 289-18-100 (3)(d) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13). § 289-18-100, filed 3/24/81.]

WAC 289-18-110 Supervision and surveillance. (Holding facilities.) (1) Prisoner identification. All holding facilities shall establish a means of identifying prisoners.

(2) Perimeter security. Perimeter security shall be maintained within existing physical plant limitations.

(3) Security devices. Minimum necessary security devices shall be maintained in proper working condition at all times.

(4) Prisoner authority. No prisoner shall be permitted to have authority over other prisoners.

(5) Prisoner counts. A system should be maintained for taking and recording prisoner counts as necessary. WAC 289-18-110(5) ADVISORY

(6) Contraband control. All holding facilities shall establish and maintain a written procedure regarding searches of prisoners, visitors, and the facility to prevent the introduction of contraband. All jails which permit visiting shall post a sign displaying the penalty for the introduction of contraband. (RCW 9A.76.010, 9A.76.140, 9A.76.150, 9A.76.160.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13). § 289-18-110, filed 3/24/81.]

WAC 289-18-120 Critical articles. (Holding facilities.) (1) All holding facilities shall establish written procedures to insure that weapons shall be inaccessible to prisoners at all times.

(2) Weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(2) ADVISORY

(3) Whenever possible, keys to weapon lockers should be located outside of booking and confinement areas. WAC 289-18-120(3) ADVISORY

(4) Keys and locking devices.

(a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all staff.

(b) A control point shall be designated for key cataloging and logging the distribution of keys.

(c) There shall be at least two sets of jail facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(d) All keys not in use shall be stored in a secure area inaccessible to prisoners.

(e) Emergency keys shall be marked and placed where they may be quickly identified in case of an emergency.

(f) Keys shall be accounted for at all times.

(g) Jail facility keys shall never be issued to a prisoner.

(h) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or failure of the system.

(5) The department of corrections or the chief law enforcement officer shall establish and maintain written procedures regarding storage of protective equipment and dangerous kitchen utensils, if applicable. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-18-120, filed 3/24/81.]

WAC 289-18-200 Staffing. (Detention and correctional facilities.) General staffing.

(1) At all times in all jails, at least one staff member shall be awake, alert, and directly responsible for supervision and surveillance.

(2) At all times a staff member of the same sex as the prisoner(s) shall be on duty or available within a reasonable time, which staff member shall be directly responsible for supervision which involves intimate physical contact or activities commonly afforded reasonable protection against opposite sex observation or supervision: *Provided*, That this does not preclude jail staff from performing nonjail-related functions or being relieved from direct duties and remaining on call: *Provided further*, That personal observation of prisoners for purposes of this or other sections of these standards may be by opposite sex staff as long as opposite sex privacy concerns are given appropriate protection.

(3) There shall be continual sight and/or sound surveillance of all prisoners.

(4) Such surveillance may be by remote means, provided there is the ability of staff to respond face-to-face to any prisoner within three minutes: *Provided*, That special problem prisoners are subject to the more stringent personal observation and supervision requirements of other sections.

(5) In the absence of unusual behavior or other concerns for prisoner security and health, personal observation of prisoners by staff may be reduced to, but shall not be less frequent than, at least once within every sixty minute period.

(6) Personal staff observations of prisoners should be recorded in writing and retained in the jail records. WAC 289-18-200(6) ADVISORY.

(7) Staff should be alert to prisoner depression, dissension, family rejection, loneliness, resistance to staff or programs, and the effects of use of substances prohibited by facility rules or by law. When such symptoms are discovered, such persons should be closely observed. WAC 289-18-200(7) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-200, filed 3/18/81.]

WAC 289-18-210 Supervision and surveillance. (Detention and correctional facilities.) (1) General security.

(a) All jails shall establish a positive means of identifying prisoners.

(b) Perimeter security shall be maintained.

(c) Security devices shall be maintained in proper working condition at all times.

(d) No prisoner shall be permitted to have authority over other prisoners.

(2) Prisoner counts. Detention and correctional facilities shall develop a system for taking and recording prisoner counts. This procedure shall be followed at shift changes and at other regular or irregular times.

(3) Contraband control.

(a) Any item or person entering or leaving a jail shall be subject to search.

(b) When housed in a jail facility, work release prisoners and prisoners who have regular contact outside the jail shall not be permitted contact with other prisoner classifications or entrance to areas frequented by other prisoners.

(c) There shall be irregularly scheduled searches for contraband in detention and correctional facilities and all areas frequented by prisoners.

(d) Conspicuously posted signs shall display the statutory penalty for giving or arranging to give anything to prisoner without official authorization (RCW 9A.76-.010, 9A.76.140, 9A.76.150, 9A.76.160). Non-English speaking visitors shall be informed of the statutory penalty either verbally or by posted signs in the appropriate language. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-210, filed 3/18/81.]

WAC 289-18-220 Critical articles. (Detention and correctional facilities.) (1) All detention and correctional facilities shall establish written procedures to insure that weapons shall be inaccessible to prisoners at all times.

(2) Weapon lockers shall be located outside of booking and confinement areas.

(3) Whenever possible, keys to weapon lockers should be located outside of booking and confinement areas. ADVISORY.

(4) Keys and locking devices.

(a) Key regulations shall be established by the department of corrections or chief law enforcement officer and read and initialed by all staff.

(b) A control point shall be designated for key cataloging and logging the distribution of keys.

(c) There shall be at least two sets of jail facility keys, one set in use and the other stored securely but easily accessible to staff for use in the event of an emergency.

(d) All keys not in use shall be stored in a secure key locker inaccessible to prisoners.

(e) Emergency keys shall be marked and placed where they may be quickly identified in case of an emergency.

(f) Keys to locks on doors inside the security area of a jail should be on a separate ring from keys to locks on

doors or gates to the outside of the jails. At no time should both rings be carried by a person inside the jail simultaneously. WAC 289-18-220 (4)(f) ADVISORY.

(g) Keys shall be accounted for at all times and the distribution certified at each shift change.

(h) Jail facility keys shall never be issued to a prisoner.

(i) If electronic devices are used in place of keys, there shall be key or other manual override capabilities available for immediate use in case of an emergency and/or a failure of the system.

(5) Protective equipment. Protective equipment, tear gas, and any other chemical suppressing agent shall be kept in a secure area, inaccessible to prisoners and unauthorized persons, but quickly accessible to officers of the facility.

(6) Kitchen utensils, tools, and toxic substances.

(a) Dangerous kitchen utensils and tools shall be marked for identification, recorded, and kept in a secure place.

(b) Toxic substances shall be kept in locked storage, and use of toxic substances shall be strictly supervised. Such substances, including cleaning supplies, shall be stored in a separate area from food supplies. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-18-220, filed 3/18/81.]

Chapter 289-19 WAC
CUSTODIAL CARE STANDARDS—PRISONER CONDUCT

WAC	
289-19-010	Introduction.
289-19-100	Prisoner rights. (Holding facilities.)
289-19-110	Prisoner rules of conduct. (Holding facilities.)
289-19-120	Discipline. (Holding facilities.)
289-19-130	Grievance procedures. (Holding facilities.)
289-19-200	Prisoner rights. (Detention and correctional facilities.)
289-19-210	Prisoner rules of conduct. (Detention and Correctional facilities.)
289-19-220	Discipline. (Detention and correctional facilities.)
289-19-230	Grievance procedures. (Detention and correctional facilities.)

WAC 289-19-010 Introduction. It is assumed that disciplinary procedures are usually not applicable to six-hour holding facilities, but where any disciplinary rules or sanctions exist, the facility must comply with the applicable provisions of this chapter. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-010, filed 3/24/81.]

WAC 289-19-100 Prisoner rights. (Holding facilities.) Each holding facility should establish a written statement of prisoner rights, to be reviewed at the time of orientation, which should include, but not be limited to, access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment, freedom from discrimination based on race or sex, access to information on facility rules and regulations and sanctions, communication such as telephone calls, and access to necessary medical care. (30 day, 72 hour) WAC 289-19-100 ADVISORY. (6 hour – see WAC 289-16-120.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-100, filed 3/24/81.]

WAC 289-19-110 Prisoner rules of conduct. (Holding facilities.) (1) Rules established.

(a) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners which rules shall designate major and minor infractions. (30 day, 72 hour)

(b) Appropriate rules relating to the imposition of discipline, if any, shall be established in writing. (6 hour)

(2) Prisoners informed.

(a) Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously within the jail or conveyed orally to each prisoner. Reasonable efforts shall be made to inform non-English speaking prisoners. (30 day, 72 hour)

(b) Prisoners shall be informed of facility rules and sanctions, if any are established. (6 hour)

(3) Major infractions. If major infractions are handled within the facility, rather than as criminal proceedings, the following shall apply:

(a) All major infractions of the rules shall be reported in writing to the supervisor prior to shift change by the staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail record.

(b) Disciplinary committee.

(i) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees shall hear and decide all charges of major violation of facility rules and impose sanctions. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. (30 day) WAC 289-19-110 (3)(b)(ii) ADVISORY. (Not applicable – 72 hour, 6 hour)

(iii) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Disciplinary procedures.

(i) Any charge pending against a prisoner shall be acted on as soon as possible and no later than seventy-two hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. Action in this context means either a disciplinary hearing or a decision not to impose any sanction requiring a hearing. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-19-110 (3)(a). If the prisoner is illiterate, the infraction report shall be read to him. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(A) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(B) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgements and the prisoner's record shall contain a statement with regard to such grounds;

(C) A prisoner who is unable to represent himself in such a hearing shall be informed of his right to be assisted by another person in understanding and participating in the proceedings;

(D) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(E) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed procedures established by each facility and included in the printed rules. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) All disciplinary proceedings shall be recorded. (30 day) (Not applicable – 72 hour, 6 hour)

(v) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction. (30 day) (Not applicable – 72 hour, 6 hour)

(4) Minor infractions. Minor infractions may be handled by any staff person by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-19-110, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-110, filed 3/24/81.]

WAC 289-19-120 Discipline. (Holding facilities.) (1) Corrective action or forms of discipline.

(a) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, and appropriate to the severity of the infraction.

(b) Acceptable forms of discipline shall include, but not be limited to, the following:

(i) Loss of privileges;

(ii) Removal from work detail or other assignment;

(iii) Recommendation of forfeiture of "good time" credit;

(iv) Transfer to the maximum security or segregation section. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts, or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation. WAC 289-19-120 (2)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

(e) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer or his or her designee, and in no event shall a prisoner be held in disciplinary segregation for more than ten consecutive days as the result of any one hearing. (30 day) (Not applicable – 72 hour, 6 hour)

(f) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-120, filed 3/24/81.]

WAC 289-19-130 Grievance procedures. (Holding facilities.) The department of corrections or chief law enforcement officer for each jail should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for notification of action taken regarding the grievance. (30 day, 72 hour) WAC 289-19-130 ADVISORY. (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-19-130, filed 3/24/81.]

WAC 289-19-200 Prisoner rights. (Detention and correctional facilities.) Each detention and correctional facility should establish a written statement of prisoner rights, to be reviewed at the time of orientation, which should include, but not be limited to, access to courts, confidential access to attorneys and/or legal assistance, protection from abuse and corporal punishment, freedom from discrimination based on race or sex, access to information on facility rules and regulations and sanctions, communication such as telephone calls, and access to necessary medical care. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-200, filed 3/18/81.]

WAC 289-19-210 Prisoner rules of conduct. (Detention and Correctional facilities.) (1) The department of corrections or chief law enforcement officer shall establish uniform rules and disciplinary sanctions to guide the conduct of all prisoners, which rules shall designate major and minor infractions.

(2) Printed rules and possible disciplinary sanctions shall be given to each prisoner and/or posted conspicuously throughout the jail. Non-English speaking prisoners shall be informed of the rules either orally, in writing, or by posted signs in the appropriate language.

(3) All major infractions of the rules shall be report in writing to the supervisor prior to shift change by t staff member observing or discovering the act. Such reports shall become a part of the prisoner's jail record.

(4) Minor infractions. Minor violations of the rules may be handled informally by any staff member by reprimand, warning, or minor sanction as defined by local rules. Such incidents may become part of the prisoner's record only with the approval of the supervisor and verbal notification to the prisoner. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-210, filed 3/18/81.]

WAC 289-19-220 Discipline. (Detention and correctional facilities.) (1) Disciplinary committee.

(a) The director of the department of corrections or the chief law enforcement officer or such person's designee or designees, shall hear and decide all charges of major violation of facility rules and impose sanctions.

(b) It is recommended, but not required, that there be a committee of two or more staff to perform the function of disciplinary committee. WAC 289-19-220 (1)(b) ADVISORY.

(c) Any facility staff member involved in a charge shall not be allowed to participate as a hearing officer with respect to that charge.

(2) Disciplinary procedures.

(a) Any charges pending against a prisoner shall be acted on as soon as possible and no later than seventy-two hours (exclusive of Saturdays, Sundays, and holidays) after observation or discovery of the infraction. Action in this context means either a disciplinary hearing or a decision not to impose any sanction requiring a hearing.

(b) At least twenty-four hours prior to hearing, the prisoner shall receive a copy of the written infraction report made in conformance with WAC 289-19-210(3). If the prisoner is illiterate, the infraction report shall be read to him.

(c) The prisoner alleged to have committed a major infraction shall have, and be promptly advised of, the following rights:

(i) The prisoner shall have the right to be present at all stages of the hearing, except during the decisional deliberations;

(ii) The prisoner shall be allowed to appear on his own behalf, to present witnesses, and to present documentary evidence unless the exercise of such rights would be unduly hazardous to institutional safety or correctional goals, in which case the prisoner shall be given a written statement of the reasons for such judgments and the prisoner's record shall contain a statement with regard to such grounds;

(iii) A prisoner who is unable to represent himself in such a hearing shall be informed of his right to be assisted by another person in understanding and participating in the proceedings;

(iv) The prisoner shall be advised of the decision in a written notice giving the reasons for the disciplinary action, if any, and evidence relied on; and

(v) The prisoner shall be permitted to appeal the disciplinary hearing decision to the department of corrections or the chief law enforcement officer or his or her designee in accordance with appeal procedures established by each facility and included in the printed rules.

(d) All disciplinary proceedings shall be recorded.

(e) There shall be a finding of guilt based on the preponderance of evidence before imposition of a sanction.

(f) The above provisions do not preclude imposition of administrative segregation, according to procedures required by WAC 289-16-230(4), or other appropriate limitations on freedom of the prisoner involved prior to such disciplinary proceeding: *Provided*, That every such restriction shall be in accordance with the other provisions in these standards: *Provided further*, That any such restrictions shall be based on legitimate grounds of institutional security or prisoner safety, and such action shall be noted in the prisoner's records.

(3) Corrective action or forms of discipline.

(a) Nonpunitive corrective action should be the first consideration in all disciplinary proceedings. WAC 289-19-220 (3)(a) ADVISORY.

(b) When punitive measures are imposed, such measures shall be in accordance with law, and recommended sanctions, appropriate to the severity of the infraction, and based on considerations of the individual involved.

(c) Acceptable forms of discipline shall include the following:

(i) Loss of privileges;

(ii) Removal from work detail or other assignment;

(iii) Recommendation of forfeiture of "good time" credit;

(iv) Transfer to the maximum security or segregation section.

(4) Limitations on punishment.

(a) No prisoner or group of prisoners shall be given authority to administer punishment to any other prisoner or group of prisoners.

(b) Deprivation of regular feeding, clothing, bed, bedding, or normal hygienic implements and facilities shall not be used as a disciplinary sanction.

(c) Correspondence privileges shall not be denied or restricted, except in cases where the prisoner has violated correspondence regulations. In no case shall the correspondence privilege with any member of the bar, holder of public office, the courts or the department of corrections or chief law enforcement officer be suspended.

(d) Restrictions on visitation.

(i) Visitation privileges should not be denied or restricted as a sanction for infractions of rules of the institution unrelated to visitation. WAC 289-19-220 (4)(d)(i) ADVISORY.

(ii) Under no circumstances shall attorney-client visits be restricted.

(e) No prisoner shall be held in disciplinary segregation for more than five consecutive days without review by the disciplinary hearing body or chief law enforcement officer or his or her designee, and in no event shall a prisoner be held in disciplinary segregation for more than ten consecutive days as the result of any one hearing.

(f) Corporal punishment and physical restraint (e.g., handcuffs, leather restraints, and strait jackets) shall not be used as sanctions. [Statutory Authority: RCW 70.48-.050 (3)(c). 84-21-042 (Order 84-50), § 289-19-220,

filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-220, filed 3/18/81.]

WAC 289-19-230 Grievance procedures. (Detention and correctional facilities.) The department of corrections or chief law enforcement officer for each jail should develop and maintain procedures for the collection of prisoner grievances. Such procedures should provide for persons to whom grievances are to be directed, for timely review of grievances, and for written notification of action taken regarding the grievance. ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-19-230, filed 3/18/81.]

Chapter 289-20 WAC
CUSTODIAL CARE STANDARDS—HEALTH AND WELFARE

WAC

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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-20-010 Health care. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-020 Food. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-030 Clothing, bedding and personal items. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-040 Sanitation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-20-050 Fire suppression. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-20-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-20-100 Written procedures for medical services. (Holding facilities.) (1) There shall be on file, in the jail, a written procedure which provides that necessary medical services will be provided twenty-four hours a day by one or more of the following:

(a) A licensed physician.

(b) A health care professional supervised by a licensed physician.

(c) A hospital or clinic.

(2) Security. All providers of medical services in holding facilities shall observe the security regulations which apply to jail personnel.

(3) Licensing and certifications. Medical services shall be provided only by licensed or certified health care providers. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-100, filed 3/24/81.]

WAC 289-20-105 Health care policies and procedures. (Holding facilities.) Written standard operating procedures shall consist of but not be limited to the following:

(1) Receiving screening;

(2) Nonemergency medical services;

(3) Deciding the emergency nature of illness or injury;

(4) First-aid;

(5) Notification of next of kin or legal guardian in case of serious illness, injury or death;

(6) Screening, referral and care of mentally ill and retarded inmates, and prisoners under the influence of alcohol and other drugs;

(7) Detoxification procedures; and

(8) Pharmaceuticals. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-105, filed 3/24/81.]

WAC 289-20-110 Health screening. (Holding facilities.) (1) Receiving screening shall be performed on all prisoners upon admission to the facility, and the findings recorded on a printed screening form.

(2) If the results of receiving screening indicate a medical problem that may be detrimental to the health or safety of the prisoner, but is of a nonemergency nature, then the prisoner shall be seen within a reasonable time by a physician or nurse to determine the need for further diagnosis or treatment. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-110, filed 3/24/81.]

WAC 289-20-120 Access to health care. (Holding facilities.) (1) Written procedures for gaining access to medical services shall be given to each prisoner at the time of admission and/or posted conspicuously in the

jail. (30 day, 72 hour) (6 hour – WAC 289-20-120(1) ADVISORY)

(2) Prisoner complaints of injury or illness, or staff observations of such shall be acted upon by staff as soon as reasonably possible. Prisoners shall be provided with medical diagnosis or treatment as necessary.

(3) Work release prisoners should be allowed to see their own physician. (30 day, 72 hour) WAC 289-20-120(3) ADVISORY (Not applicable – 6 hour)

(4) Emergency care.

(a) Standard first-aid kits shall be conveniently available to all jails.

(b) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

(i) Arrangements for the emergency evacuation of the prisoner from the jail;

(ii) Arrangements for the use of an emergency medical vehicle;

(iii) Arrangements for the use of one or more designated hospital emergency rooms or other appropriate health facilities;

(iv) Arrangements for emergency on-call physician and dentist services when an emergency health facility is not located in a nearby community;

(v) Arrangements for emergency mental illness care for prisoners. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-120, filed 3/24/81.]

WAC 289-20-130 Health care training. (Holding facilities.) (1) Jail personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall include but not be limited to:

(a) Awareness of potential medical emergency situations;

(b) Notification or observation-determination that a medical emergency is in progress;

(c) First-aid and resuscitation;

(d) Call for help; and

(e) Transfer to appropriate medical provider.

(2) At least one person per shift shall have training in receiving screening.

(3) At least one person available per shift shall have training in basic life support cardiopulmonary resuscitation (CPR).

(4) All persons delivering medication shall be properly trained. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-130, filed 3/24/81.]

WAC 289-20-140 Medications control. (Holding facilities.) (1) If stock prescriptive medication is maintained within the holding facility, standard operating procedures for the proper management of pharmaceuticals shall include:

(a) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 3 16-070 (clinic dispensary);

(b) A policy that jails with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);

(c) A policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

(2) The standard operating procedures for medication dispensing and administration shall include, but not be limited to, policies regarding:

(a) Nonmedical jail personnel delivering medication(s) to prisoners;

(b) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(c) The medications system, which shall insure that all medications shall be kept in containers which have been labeled securely and legibly by a pharmacist or the prescribing physician, or in their original container labeled by their manufacturer. Medications shall not be transferred from the original container except for the preparation of a dose administration;

(d) Safeguards with regard to delivery of medications to prisoners; and

(e) Disposition of unused medication(s).

(3) The standard operating procedures should inc a policy regarding the maximum security storage weekly inventory of all controlled substances, nonprescription medication(s), and any syringes, needles and surgical instruments. (30 day, 72 hour) WAC 289-20-140(3) ADVISORY (Not applicable – 6 hour)

(4) The person delivering medication shall be accountable for following the order of the prescribing physician. (30 day, 72 hour) (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-140, filed 3/24/81.]

WAC 289-20-150 Health care records. (Holding facilities.) (1) Prisoner file maintenance.

(a) Prisoner medical files shall contain the completed receiving screening form, all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications, notes concerning patient education, notations of place, date and time of medical encounters and terminations of treatment from long term or serious medical or psychiatric treatment, if applicable. (30 day)

(b) A record of the date, time, place and name of the health care provider shall be retained on file at the jail if any health care services are provided to prisoners. (72 hour, 6 hour)

(2) Prisoner file confidentiality.

(a) Medical records shall be maintained separately from other jail records to the extent necessary to protect their confidentiality.

(b) Medical records shall not be released to persons or agencies without the written authorization the prisoner.

(3) The responsible physician or medical care provider shall communicate information obtained in the course of medical screening and care to jail authorities when necessary for the protection of the welfare of the prisoner or other prisoners, management of the jail, or maintenance of jail security and order. (30 day)

(4) Information regarding known serious health problems shall be communicated to any transferring officer or receiving jail or correctional institution at the time of transfer. (72 hour, 6 hour)

(5) The person delivering medications shall record the actual date and time of the delivery. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-150, filed 3/24/81.]

WAC 289-20-160 Special medical issues. (Holding facilities.) (1) Informed consent. All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care.

(2) Special medical.

(a) Jail staff suspecting prisoner mental illness shall notify the appropriate mental health authorities.

(b) Appropriate medically supervised treatment in accordance with written procedures established under WAC 289-20-105 shall be given in the jail to prisoners determined to be mentally ill or under the influence of alcohol, opiates, barbiturates, and similar drugs when such care is not provided in a community health facility. (30 day, 72 hour) (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-160, filed 3/24/81.]

WAC 289-20-165 Access to facilities. (Holding facilities.) (1) Regular bathing (shower) shall be permitted at least twice each week. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Each prisoner shall have access to toilet, sink, drinking water, and adequate heat and ventilation. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-165, filed 3/24/81.]

WAC 289-20-170 Food. (Holding facilities.) (1) Meal service.

At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Nutritional and caloric intake.

(a) Jail meals shall be nutritious, and provide for appropriate caloric intake.

(b) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Medically ordered diets shall be strictly observed. [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-170, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-170, filed 3/24/81.]

WAC 289-20-180 Clothing, bedding and personal items. (Holding facilities.) (1) Clothing.

(a) Provisions shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing. (30 day, 72 hour) (Not applicable – 6 hour)

(b) Each jail shall insure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and socks are laundered and made available to them at least twice a week. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Bedding.

Prisoners shall be issued clean bedding within a reasonable time. Bedding shall include, but not be limited to:

(a) A mattress which shall have a washable surface which shall be sanitized at least semi-annually or more often if needed;

(b) A mattress cover or sheet which shall be washed weekly or more often as needed, and always before reissue;

(c) A blanket which shall be washed at frequent intervals to maintain a clean condition, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner held in excess of six hours shall include, but not be limited to, soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items. (30 day, 72 hour) (Not applicable – 6 hour)

(b) Toothpaste, toothbrush and comb shall be provided for all prisoners held in excess of twelve hours. Such items shall be available for purchase or shall be issued as needed: *Provided*, That indigent prisoners shall have access to these minimum items without cost. (30 day, 72 hour) (Not applicable – 6 hour)

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security. (30 day, 72 hour) WAC 289-20-180 (3)(c) ADVISORY (Not applicable – 6 hour.) [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-180, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-180, filed 3/24/81.]

WAC 289-20-190 Sanitation. (Holding facilities.) (1) General sanitation.

(a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) When the facility is occupied, the housekeeping program shall include a daily general sanitation inspection and daily removal of trash and garbage. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Each prisoner shall clean his own living area daily.

(2) Insects, rodents, and pets.

(a) Insects and rodents shall be eliminated by safe and effective means.

(b) Pets shall not be allowed in jail facilities.

(3) Laundry. Each jail shall arrange for adequate laundry services. (30 day, 72 hour) (Not applicable – 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-20-190, filed 3/24/81.]

WAC 289-20-200 Responsible physician and licensed staff. (Detention and correctional facilities.) (1) The facility shall have a designated health authority with responsibility for health care services pursuant to a written agreement, contract, or job description. The health authority may be a physician, health administrator or agency. When this authority is other than a physician, final medical judgments shall rest with a single designated responsible physician licensed in the state of Washington.

(2) Matters of medical and dental judgment shall be the sole province of the responsible physician and dentist respectively; security regulations applicable to facility personnel shall also apply to health personnel.

(3) The responsible physician or medical authority should submit a quarterly report on the health delivery system and health environment and an annual statistical summary to the chief law enforcement officer or department of corrections. WAC 289-20-200(3) ADVISORY.

(4) State licensure and/or certification requirements and restrictions shall apply to health care personnel.

(5) All medical personnel shall practice within the scope of their license. Where applicable, treatment shall be performed pursuant to a written standing or direct order.

(6) Verification of current licensing and certification credentials should be on file in the jail. WAC 289-20-200(6) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-200, filed 3/18/81.]

WAC 289-20-205 Health care policies and procedures. (Detention and correctional facilities.) (1) Written standard operating procedures approved by the responsible physician and governing unit or official designated by it shall consist of but not be limited to the following:

(a) Receiving screening;

(b) Health appraisal data collection; WAC 289-20-205 (1)(b) ADVISORY

(c) Nonemergency medical services;

(d) Deciding the emergency nature of illness or injury;

(e) Availability of dental referral examination, and treatment;

(f) Provision of medical and dental prostheses;

(g) First aid;

(h) Notification of next of kin or legal guardian in case of serious illness, injury or death;

(i) Providing chronic care;

(j) Providing convalescent care;

(k) Providing medical preventive maintenance; WAC 289-20-205 (1)(k) ADVISORY

(l) Screening, referral and care of mentally ill and retarded inmates, and prisoners under the influence of alcohol and other drugs;

(m) Implementing the special medical program;

(n) Delousing procedures;

(o) Detoxification procedures; and

(p) Pharmaceuticals.

(2) The work of qualified medical personnel shall be governed by written job descriptions which shall be approved by the responsible physician. [Statutory Authority: RCW 70.48.050(1) and 70.48.070(4). 82-04-088 (Order 22), § 289-20-205, filed 2/3/82. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-205, filed 3/18/81.]

WAC 289-20-210 Health screening. (Detention and correctional facilities.) (1) Receiving screening shall be performed on all prisoners upon admission to the facility before being placed in the general population or housing area, and the findings recorded on a printed screening form approved by the jail commission. The screening shall include inquiry into:

(a) Current illnesses and health problems including those specific to women;

(b) Medications taken and special health requirements;

(c) Screening of other health problems designated by the responsible physician;

(d) Behavioral observation, including state of consciousness and mental status;

(e) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice, and physical characteristics;

(f) Condition of skin and body orifices, including rashes and infestations; and

(g) Disposition/referral of inmates to qualified medical personnel on an emergency basis.

(2) The health appraisal data collection should be completed for each prisoner within fourteen days after admission to the facility in accordance with the adopted standard operating procedures: *Provided*, That this subsection does not apply to prisoners who are able to receive medical care in the community. WAC 289-20-210(2) ADVISORY

(3) Such health appraisal should include, at a minimum, a physical assessment by a licensed health care provider, recording of vital signs and a general review of mental status: *Provided*, That such appraisal is not intended to be a standard "annual physical" but rather such minimum physical and mental status review as is necessary to detect any major problems. As appropriate, laboratory and diagnostic tests to detect communicable disease, including venereal diseases and tuberculosis, and other tests and appraisals should be included within such appraisal. WAC 289-20-210(3) ADVISORY

(4) Health history and vital signs should be collected by medically trained or qualified medical personnel who are properly licensed, registered or certified as appropriate to their qualifications to practice. Collections of all other health appraisal data should be performed only by qualified medical personnel. Review of the results of medical examination, tests, and identification of problems should be made by a physician or designated qualified medical personnel. All health appraisal data should be recorded on the health data forms approved by the

responsible physician. WAC 289-20-210(4) ADVISORY. [Statutory Authority: RCW 70.48.050(1) and 70.48.070(4). 82-04-088 (Order 22), § 289-20-210, filed 2/3/82. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-210, filed 3/18/81.]

WAC 289-20-220 Access to health care. (Detention and correctional facilities.) (1) If medical services are delivered in the jail, adequate equipment supplies and materials shall be provided for the performance of primary health care delivery.

(2) At the time of admission to the facility, prisoners shall receive a written communication consistent with the provisions of WAC 289-16-010 (1)(f), explaining the procedures for gaining access to medical services.

(3) Prisoners' medical complaints shall be collected daily and acted upon by the medically trained personnel. An appropriate priority shall be established and treatment by qualified medical personnel follow.

(4) Work release prisoners should be allowed to see their own physicians outside of the jail and to receive consistent care within the jail.

(5) Sick call.

(a) Sick call shall be conducted by a physician and/or other qualified medical personnel and shall be available to each prisoner as follows:

(i) In facilities of less than fifty prisoners, at least once per week at a minimum;

(ii) Facilities of fifty to two hundred prisoners at least three times per week; and

(iii) Facilities of over two hundred prisoners at least five times per week: *Provided*, That the average daily population may be calculated exclusive of work release prisoners when they receive their care in the community.

(b) When sick call is not conducted by a physician, the responsible physician shall arrange for the availability of a physician at least once each week to respond to prisoner complaints regarding services which they did or did not receive from other medical providers; further, regardless of complaints, the responsible physician shall review the medical services delivered, as follows:

(i) At least once per month in jails with less than fifty prisoners;

(ii) At least every two weeks in facilities of fifty to two hundred prisoners; and

(iii) At least weekly in facilities of over two hundred prisoners.

(6) Medical and dental prostheses shall not be denied when the health of the inmate-patient would otherwise be adversely affected as determined by the responsible physician.

(7) Emergency care.

(a) First aid kit(s) shall be conveniently available in all jails.

(b) The responsible physician should approve the contents, number, location and procedure for periodic inspection of the kit(s). WAC 289-20-220 (7)(b) ADVISORY

(c) Emergency medical and dental care shall be available on a twenty-four hour basis in accordance with a written plan which includes:

(i) Arrangements for the emergency evacuation of the prisoner from the jail;

(ii) Arrangements for the use of an emergency medical vehicle;

(iii) Arrangements for the use of one or more designated hospital emergency rooms, other appropriate health facilities, or on-call physician and dentist services. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-220, filed 3/18/81.]

WAC 289-20-230 Health care training. (Detention and correctional facilities.) (1) Jail personnel shall be trained in standard first-aid equivalent to that defined by the American Red Cross and usual emergency care procedures prior to employment or during the probationary period. Written standard operating procedures and training of staff shall incorporate the following steps:

(a) Awareness of potential medical emergency situations;

(b) Notification or observation determination that a medical emergency is in progress;

(c) "First aid" and resuscitation;

(d) Call for help; and

(e) Transfer to appropriate medical provider.

(2) At least one person per shift within sight or sound of the prisoner shall have training in receiving screening and basic life support cardiopulmonary resuscitation (CPR).

(3) Jail personnel shall be given training regarding the recognition of general symptoms of mental illness and retardation.

(4) All persons responsible for the delivery of medications shall have training regarding the medical, security, and legal aspects of such activity. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-230, filed 3/18/81.]

WAC 289-20-240 Medications control. (Detention and correctional facilities.) (1) The jail's standard operating procedures for the proper management of pharmaceuticals shall include:

(a) A formulary specifically developed for the facility when stock medications are maintained within the jail. Such formulary shall be in accordance with WAC 360-16-070 (clinic dispensary);

(b) A policy that jails with an on-site pharmacy shall adhere to regulations established by the state board of pharmacy. Such policy shall require, as a minimum, a consulting pharmacist for the operation of the pharmacy or the dispensing shall be done by each prescribing physician in person (WAC 360-16-070);

(c) A policy regarding the prescription of all medications with particular attention to behavior modifying medications and those subject to abuse;

(d) A policy regarding medication dispensing and administration which shall include, but not be limited to:

(i) Nonmedical jail personnel delivering medication(s) to prisoners;

(ii) Disposition of medication(s) brought in by prisoners at the time of admission to the facility;

(iii) Packaging of medication(s): The medications system shall insure that all medications are kept in containers which have been labeled securely and legibly by a pharmacist or the prescribing physician, or in their original container labeled by their manufacturer. Medications shall not be transferred from the original container except for the preparation of a dose administration;

(iv) Safeguards with regard to delivery of medications to prisoners; and

(v) Disposition of unused medication(s).

(c) A policy regarding the maximum security storage and weekly inventory of all controlled substances, nonprescription medication(s), syringes, needles and surgical instruments. Jails that do not have an on-site pharmacy shall provide for a consulting pharmacist to determine that medication(s) have been properly managed.

(2) The person delivering medication(s) shall be accountable for following the orders of medical staff. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-240, filed 3/18/81.]

WAC 289-20-250 Health care records. (Detention and correctional facilities.) (1) The responsible physician shall be responsible for maintaining patient medical record files. Such files shall contain the completed receiving screening form, health appraisal data collection forms, all findings, diagnoses, treatments, dispositions, prescriptions and administration of medications, notes concerning patient education, notations of place, date and time of medical encounters and terminations of treatment from long term or serious medical or psychiatric treatment.

(2) The responsible physician shall insure the confidentiality of each prisoner's medical record file and such file shall be maintained separately to the extent necessary to maintain their confidentiality.

(3) The responsible physician or medical staff designated by him shall communicate information obtained in the course of medical screening and care to jail authorities when necessary for the protection of the welfare of the prisoner or other prisoners, management of the jail, or maintenance of jail security and order.

(4) A copy or summary of the medical record file shall routinely be sent to any jail or correctional institution to which a prisoner is transferred at the time of such transfer. A copy of such file or parts thereof shall also be transmitted upon the written authorization of a prisoner to designated physicians and medical facilities.

(5) The person delivering medications shall record the actual time of the delivery in a manner and on a form approved by the responsible physician. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-250, filed 3/18/81.]

WAC 289-20-260 Special medical issues. (Detention and correctional facilities.) (1) Informed consent.

(a) All examinations, treatments and procedures affected by informed consent standards in the community shall likewise be observed for prisoner care.

(b) No prisoner shall be given medical treatment against his will except as necessary to prevent the spread of communicable disease, to relieve imminent danger to the life of the prisoner, or, in the case of serious mental disorders, to prevent imminent danger to the life of his or her person or to the lives of others. All procedures required by chapter 71.05 RCW shall be followed in any case of involuntary commitment or involuntary treatment of mentally ill persons within jails.

(c) In the case of minors, the informed consent of parent, guardian or legal custodian applies where required by law.

(d) In all cases, the responsible physician shall give a clear statement to the prisoner patient of his diagnosis and treatment.

(2) Special medical.

(a) Jail staff shall report any symptoms of prisoner mental illness or retardation to medical personnel for appropriate evaluation and treatment.

(b) A special program shall exist for prisoners requiring *close* medical supervision. A written individual treatment plan for each of these patients shall be developed by a physician which includes directions to medical and nonmedical personnel regarding their roles in the care and supervision of these patients.

(c) Programs for the prevention of suicide, to include early identification of risk, appropriate diagnosis and referral, and close observation as required by WAC 289-18-200 (1)(c) and (d), should be developed by medica staff. ADVISORY

(d) Appropriate medically supervised treatment in accordance with written procedures established under WAC 289-20-205 (1)(l) shall be given in the jail to prisoners determined to be mentally ill or under the influence of alcohol, opiates, barbiturates and similar drugs when such care is not provided in a community health facility.

(e) Reasonable physical restraint when necessary for medical reasons shall be medically directed, except that in an emergency reasonable physical restraint may be used to control a grossly disturbed or violent prisoner, but the review and direction of the health care staff or local mental health professionals shall be promptly obtained. [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-260, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-260, filed 3/18/81.]

WAC 289-20-265 Access to facilities. (Detention and correctional facilities.) (1) Regular bathing (shower) shall be permitted at least twice each week.

(2) Each prisoner shall have access to toilet, sink, drinking water, and adequate heat and ventilation. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-265, filed 3/18/81.]

WAC 289-20-270 Food. (Detention and correctional facilities.) (1) General food requirements.

(a) At least three meals a day shall be served at regular intervals. The morning meal shall be served within fourteen hours of the previous day's evening meal.

(b) Jails may arrange for prepared meal service or serve frozen packaged meals, provided these meals conform to the other requirements of this section.

(c) Meals shall be served in a reasonable manner, hot food served hot, cold food served cold.

(2) Nutritional and caloric intake.

(a) Jail menus shall be reviewed by the local county health department, the county extension service, or other qualified nutrition consultant to insure that diets approximate the dietary allowances specified.

(b) Diets ordered by medical staff shall be strictly observed. [Statutory Authority: RCW 70.48.050 (1)(a). 81-22-068 (Order 19), § 289-20-270, filed 11/4/81. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-270, filed 3/18/81.]

WAC 289-20-280 **Clothing, bedding and personal items. (Detention and correctional facilities.)** (1) Clothing.

(a) Provision shall be made for separate insect proof clothing storage to prevent migration of lice from infested clothing.

(b) Each jail shall insure that prisoners' outer garments are laundered and made available to them at least once a week, and that prisoners' undergarments and socks are laundered and made available to them at least twice a week.

(c) Detention and correctional facilities shall, if necessary, clean and sanitize personal clothing prior to storage.

(2) Bedding.

(a) Each prisoner shall be issued clean bed linens for the first night's detention and at least once a week thereafter. Bed linens shall include:

(i) One detachable cloth mattress cover and one sheet; or

(ii) Two sheets; or

(iii) One double sized sheet.

(b) Mattresses shall have a washable surface and shall be sanitized at least semiannually.

(c) Blankets shall be issued upon arrival and shall be washed at frequent intervals to maintain a clean condition, but at least once every sixty days, and always before reissue.

(3) Personal care items.

(a) Personal care items issued to each prisoner in detention and correctional facilities shall include, but not be limited to soap and towel. Female prisoners shall be supplied with necessary feminine hygiene items.

(b) Toothpaste or powder, toothbrush and comb shall be provided for all prisoners. Such items shall be available for purchase or shall be issued at booking and as needed thereafter: *Provided*, That prisoners without funds shall have access to these minimum items without cost.

(c) Each prisoner should be permitted to have a reasonable number of additional personal items, the possession of which does not substantially impede jail management or security. WAC 289-20-280 (3)(c). ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-280, filed 3/18/81.]

WAC 289-20-290 **Sanitation. (Detention and correctional facilities.)** (1) General.

(a) All jails shall be kept in a clean and sanitary condition, free from any accumulation of dirt, filth, rubbish, garbage, or other matter detrimental to health.

(b) Jail staff shall insure that each prisoner shall clean his own living area daily. Convicted prisoners may be required to clean other space within the confinement area and pretrial detainees may be permitted to do so voluntarily.

(2) Insects, rodents, and pets.

(a) Insects and rodents shall be eliminated by safe and effective means. Prisoners shall be removed from areas in which insecticides and rodenticides are being used.

(b) Pets shall not be allowed in jail facilities.

(3) Laundry. Each jail shall arrange for adequate laundry services. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-20-290, filed 3/18/81.]

Chapter 289-22 WAC
CUSTODIAL CARE STANDARDS—SERVICES AND PROGRAMS

WAC

289-22-100 Services. (Holding facilities.)
289-22-110 Programs. (Holding facilities.)
289-22-200 Services. (Detention and correctional facilities.)
289-22-210 Programs. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-22-010 Services. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-010, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

289-22-020 Programs. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-22-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-22-100 Services. (Holding facilities.) (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each holding facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at cost at least once a week at local stores. (30 day)

(b) The department of corrections or chief law enforcement officer may provide prisoners with a list of approved items to be purchased at cost. (72 hour) WAC 289-22-100 (1)(b) ADVISORY. (Not applicable – 6 hour)

(c) Commissary items shall include books, periodicals, and newspapers.

(d) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses. (30 day) (Not applicable – 72 hour, 6 hour)

(e) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoner's account shall be accurately recorded and receipted. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Basic hair care. Reasonable arrangements should be made to provide basic hair care. (30 day) WAC 289-22-100(2) ADVISORY. (Not applicable – 72 hour, 6 hour)

(3) Reading materials. Each jail should provide for reading materials and library services. WAC 289-22-100(3) ADVISORY

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers. (30 day) (Not applicable – 72 hour, 6 hour)

(5) Religious services.

(a) Upon reasonable request from a prisoner, the jail facility staff shall arrange for confidential religious consultation. (30 day) (72 hour – WAC 289-22-100 (5)(a) ADVISORY) (Not applicable – 6 hour)

(b) Holding facilities with an average daily population of twenty-five or more should arrange for weekly religious services. (30 day) WAC 289-22-100 (5)(c) ADVISORY (Not applicable – 72 hour, 6 hour)

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. (30 day) WAC 289-22-100 (5)(d) ADVISORY (Not applicable – 72 hour, 6 hour).

(d) Attendance at religious services shall be voluntary. (30 day) (Not applicable – 72 hour, 6 hour)

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in holding facilities with an opportunity to discuss their problems. (30 day, 72 hour) WAC 289-22-100 (6)(a) ADVISORY. (Not applicable – 6 hour)

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community, provided that the security of the facility is not jeopardized. (30 day, 72 hour) WAC 289-22-100 (6)(b) ADVISORY. (Not applicable – 6 hour)

(c) Prisoners are not required to receive counseling services unless ordered by the appropriate court or the disciplinary review body. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-22-100, filed 3/24/81.]

WAC 289-22-110 Programs. (Holding facilities.) (1) Each prisoner should be allowed an opportunity for physical exercise. WAC 289-22-110(1) ADVISORY.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. (30 day) WAC 289-22-110(2) ADVISORY. (Not applicable – 72 hour, 6 hour)

(3) Participation in work programs by pretrial detainees shall be voluntary.

(4) Education or training programs. The department of corrections or chief law enforcement officer may allow the prisoner to contact or be contacted by community representatives of education or training programs. (30 day, 72 hour) WAC 289-22-110(4) ADVISORY. (Not applicable – 6 hour)

(5) Leisure time activity programs. Holding facilities should provide opportunities for all prisoners to participate in leisure time activities. WAC 289-22-110(5) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-22-110, filed 3/24/81.]

WAC 289-22-200 Services. (Detention and correctional facilities.) (1) Commissary.

(a) The department of corrections or chief law enforcement officer of each detention and correctional facility shall either establish, maintain, and operate a commissary, or provide prisoners with a list of approved items to be purchased at least once a week at local stores.

(b) Commissary items shall include books, periodicals, and newspapers, or the facility shall make arrangements to order any such items from publishers and/or local newsstands.

(c) Proceeds from a jail facility store shall be used for operation and maintenance of the commissary service and/or prisoner welfare expenses.

(d) If jail rules do not permit prisoners to keep money on their persons, payments for commissary purchases shall be made by debit on a cash account maintained for the prisoner. All expenditures from a prisoners account shall be accurately recorded and receipted.

(2) Basic hair care. All jails shall make reasonable arrangements to provide basic hair care.

(3) Library services. In consultation with state and/or local library service units, each jail shall make provision for library services.

(4) Legal assistance.

(a) When adequate professional legal assistance is not available to prisoners for purposes of preparing and filing legal papers, a jail shall provide access to necessary law books and reference materials.

(b) Facility rules shall not prohibit one prisoner from assisting another in the preparation of legal papers.

(5) Religious services.

(a) Upon request from a prisoner, the jail facility shall arrange religious services or confidential religious consultation.

(b) Detention and correctional facilities with an average daily population of twenty-five or more shall arrange for weekly religious services.

(c) Prisoners should be permitted to observe religious holidays and receive sacraments of their faith. WAC 289-22-200 (5)(c) ADVISORY.

(d) Attendance at religious services shall be voluntary, and prisoners who do not wish to hear or participate shall not be exposed to such services.

(6) Counseling, guidance, and ancillary services.

(a) Counseling services should be available to provide prisoners in detention and correctional facilities with an opportunity to discuss their problems, interests, and program. WAC 289-22-200 (6)(a) ADVISORY.

(b) The department of corrections or chief law enforcement officer may utilize volunteer counseling resources available in the community. WAC 289-22-200 (6)(b) ADVISORY.

(c) Professionals should serve in an advisory capacity when jail facility personnel or community volunteers engage in counseling. WAC 289-22-200 (6)(c) ADVISORY.

(d) Counselors may submit written recommendations to the chief law enforcement officer or disciplinary review body. WAC 289-22-200 (6)(d) ADVISORY.

(e) Prisoners shall not be required to receive counseling services unless ordered by the appropriate court or the disciplinary review body.

(f) Prisoners being discharged should receive assistance in obtaining employment, housing, acceptable clothing, and transportation. WAC 289-22-200 (6)(f) ADVISORY. [Statutory Authority: RCW 70.48.050 (3)(c). 84-21-042 (Order 84-50), § 289-22-200, filed 10/12/84. Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-22-200, filed 3/18/81.]

WAC 289-22-210 Programs. (Detention and correctional facilities.) (1) Each prisoner shall be allowed three hours per week of physical exercise, to be scheduled on no less than three separate days. If weather does not permit outdoor exercise, it shall be provided indoors. Indoor or outdoor exercise areas shall be equipped with appropriate equipment and supplies to permit varied exercise or recreation.

(2) Work programs. The department of corrections or chief law enforcement officer may establish work programs. WAC 289-22-210(2) ADVISORY.

(3) Participation in work programs by pretrial detainees shall be voluntary.

(4) Education and training programs.

(a) The department of corrections or chief law enforcement officer should arrange for the development of an education and training program, utilizing local school districts, colleges, trade schools, unions, industry, interested citizens, and other available community, state, and federal resources. WAC 289-22-210 (4)(a) ADVISORY.

(b) Paid staff member(s) should have designated responsibility for supervision of the education and training programs. WAC 289-22-210 (4)(b) ADVISORY.

(c) Approved correspondence courses should be available at the prisoner's request and expense. WAC 289-22-210 (4)(c) ADVISORY.

(d) Jails should provide courses to prepare qualified prisoners for the "General Education Development" test, and provide the opportunity to take the test. WAC 289-22-210 (4)(d) ADVISORY.

(5) Leisure time activity programs.

(a) Detention and correctional facilities should provide opportunities for all prisoners to participate in leisure time activities of their choice and abilities. Such activities may include athletic programs, hobbies and crafts, table games, radio and television, motion pictures, cards, puzzles, checkers and chess. WAC 289-22-210 (5)(a) ADVISORY.

(b) Volunteers may be used to plan and supervise exercise programs and other leisure time activities, but paid staff member(s) should have designated responsibility for supervision of such programs. WAC 289-22-210 (5)(b) ADVISORY.

(6) Alternative to confinement programs. With the concurrence of the department of corrections, or chief law enforcement officer, the disciplinary hearing body may recommend an alternative to confinement to the court of jurisdiction. WAC 289-22-210(6) ADVISORY. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-22-210, filed 3/18/81.]

Chapter 289-24 WAC
CUSTODIAL CARE STANDARDS—COMMUNICATIONS

WAC

289-24-010	Introduction.
289-24-100	Telephone usage. (Holding facilities.)
289-24-110	Mail. (Holding facilities.)
289-24-120	Visitation. (Holding facilities.)
289-24-200	Telephone usage. (Detention and correctional facilities.)
289-24-210	Mail. (Detention and correctional facilities.)
289-24-220	Visitation. (Detention and correctional facilities.)

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

289-24-020	Communication with staff. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-24-020, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-030	Telephone usage. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-24-030, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-040	Mail. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-24-040, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.
289-24-050	Visitation. [Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2). § 289-24-050, filed 6/27/79.] Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: Chapter 70.48 RCW.

WAC 289-24-010 **Introduction.** It is assumed that mail will usually not be sent or received in 72 hour or 6 hour holding facilities, but facilities which do handle mail must comply with the applicable provisions in this chapter. [Statutory Authority: Chapter 70.48 RCW. Readopted by 81-08-014 (Order 13), § 289-24-010, filed 3/24/81. Prior: Repealed by 81-07-057 (Order 10), filed 3/18/81. Statutory Authority: RCW 70.48.050(1). 79-07-067 (Order 2), § 289-24-010, filed 6/27/79.]

WAC 289-24-100 Telephone usage. (Holding facilities.) (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes). (30 day) (72 hour, 6 hour – WAC 289-24-100(1) ADVISORY)

(2) Telephone usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner: *Provided*, That established social telephone usage shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative.

(3) Long distance calls shall be at the prisoner's expense or collect: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.

(5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-14-100, filed 3/24/81.]

WAC 289-24-110 Mail. (Holding facilities.) (1) Newspapers, books, periodicals, other printed materials, and photographs.

(a) Prisoners shall generally be permitted to receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff. (30 day) (Not applicable – 72 hour, 6 hour)

(b) If such materials are withheld from a prisoner:

(i) The prisoner shall receive written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner shall be promptly informed of his right to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request;

(iii) A written decision of the review of the denial, including reason(s), shall be given to the prisoner requesting review. (30 day) (Not applicable – 72 hour, 6 hour)

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one business day. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters including letters to attorneys, the courts, and elected federal, state, county and city officials. Prisoners without funds shall be permitted to mail up to three letters per calender week at public expense: *Provided*, That no limit may be set on the number of letters which may be sent to the prisoner's attorney or to the courts. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) No restrictions shall be placed on the number of letters a prisoner may receive or on the persons with whom he may correspond, except by order of a court of competent jurisdiction, or as provided under (c) of this subsection. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) These rules shall not preclude a prisoner being required to place his name and return post office address

on outgoing mail. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Opening or censoring mail.

(i) No general restriction of the number of letters prisoners may receive or of classes of persons with whom they may correspond shall be made by facility rule or policy. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash, and checks and may be perused for content when the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. Whenever mail is not delivered by the jail staff directly to the prisoner to whom it is addressed, it shall be resealed. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) Except by order of a court of competent jurisdiction, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Notice of disapproval of prisoner mail.

(i) If a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. (30 day) (Not applicable – 72 hour, 6 hour)

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(d) Limitations.

(i) Incoming mail of postconviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, county or city officials shall be opened only in the presence of the addressee. (30 day) (Not applicable – 72 hour, 6 hour)

(ii) Mail to or from attorneys, courts, or elected federal, state, county or city officials shall not be read. (30 day) (Not applicable – 72 hour, 6 hour)

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney-client mail or correspondence with the courts. (30 day) (Not applicable – 72 hour, 6 hour)

(3) Packages. If a facility allows prisoners to send or receive packages;

(a) All packages shall be opened and inspected. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be promptly delivered to the prisoner, unless such package is opened in the presence of the prisoner and all items are given directly to him. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Outgoing. Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations. (30 day) (Not applicable – 72 hour, 6 hour)

(4) Contraband.

(a) Items which are not permitted by jail rules may be destroyed upon the prisoner's written request, placed in the prisoner's personal property box, or returned collect to the sender. (30 day) (Not applicable – 72 hour, 6 hour)

(b) Permissible items received in the mail, including money or checks, shall be recorded by a staff member and notification thereof given to the prisoner. (30 day) (Not applicable – 72 hour, 6 hour)

(c) Contraband, as defined in RCW 9A.76.010, shall be turned over to the proper authorities, for handling as evidence, for disciplinary action or possible prosecution under RCW 9A.76.140, 9A.76.150, or 9A.76.160, or other applicable statute(s). (30 day) (Not applicable – 72 hour, 6 hour.) [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-24-110, filed 3/24/81.]

WAC 289-24-120 Visitation. (Holding facilities.) (1) Security.

(a) Open visitation should be provided for those prisoners determined to present a minimal degree of risk to the safety and security of the institution. (30 day) WAC 289-24-120 (1)(a) ADVISORY. (Not applicable – 72 hour, 6 hour)

(b) The degree of security required for each prisoner during visitation shall be determined by the person or persons responsible for classification under WAC 289-16-130. (30 day, 72 hour) (Not applicable – 6 hour)

(2) Social visits.

The department of corrections or chief law enforcement officer shall establish and post rules which permit reasonable opportunities for social visits for each prisoner and specifying times therefor. (30 day) (72 hour – WAC 289-24-120(2) ADVISORY) (Not applicable – 6 hour)

(3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attorney or legal assistants and his pastor at reasonable hours.

(b) The department of corrections or chief law enforcement officer should allow confidential visits from business, educational and law enforcement professionals. (30 day, 72 hour) WAC 289-24-120(3)(b) ADVISORY. (Not applicable – 6 hour)

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include, but not to be limited to:

(i) An attempt, or reasonable suspicion of an attempt, to bring contraband into the facility.

(ii) Obvious influence or effect of alcohol or controlled substances.

(iii) Request from the prisoner's physician.

(iv) Request from the prisoner.

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security, or management, or to the welfare of prisoners, staff, or other visitors.

(d) If a visitor is refused admittance during regular visiting hours;

(i) The prisoner shall receive notice of the refusal stating the reasons therefor.

(ii) The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iii) A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review. [Statutory Authority: Chapter 70.48 RCW. 81-08-014 (Order 13), § 289-24-120, filed 3/24/81.]

WAC 289-24-200 Telephone usage. (Detention and correctional facilities.) (1) The governing unit shall establish and post rules which specify regular telephone usage times and the maximum length of calls (not to be less than five minutes).

(2) Telephone usage hours shall include time during the normal work day and time during the evening, at least once a week per prisoner: *Provided*, That established social telephone usage hours shall not preclude reasonable access to a telephone to contact the prisoner's attorney or legal representative.

(3) Calls shall be at the prisoner's expense or collect: *Provided*, That appropriate protection of access to an attorney shall be maintained for prisoners without funds.

(4) Location of telephone facilities shall insure reasonable privacy, and telephone conversations shall not be monitored, tape recorded, or spot-checked except by court order.

(5) Reasons for calls shall be the personal concern of the prisoner, except in consideration of requests for emergency calls beyond normal telephone hours. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-200, filed 3/18/81.]

WAC 289-24-210 Mail. (Detention and correctional facilities.) (1) Newspapers, books, periodicals, other printed materials, and photographs.

(a) Prisoners shall generally be permitted to subscribe to and otherwise receive books, newspapers, periodicals and other printed materials or photographs which may lawfully be delivered through the United States mails. Such materials shall be denied a prisoner only if such denial furthers a substantial governmental interest in jail security or the welfare of prisoners or staff.

(b) When such materials are withheld from a prisoner:

(i) The prisoner shall receive immediate written notice that the publication is being denied, accompanied by an explanation of the reason(s) for the denial;

(ii) The affected prisoner shall be promptly informed of his right to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request;

(iii) A written decision of the review of the denial, including reason(s), shall be given to the prisoner requesting review.

(2) Correspondence.

(a) General.

(i) Incoming or outgoing mail shall be retained no more than one business day.

(ii) Except in the case of prisoners without funds, prisoners shall be permitted to mail out any number of letters. Prisoners without funds shall be permitted to mail up to three letters per calendar week at public expense or with postage purchased from the prisoner welfare fund, provided upon proper showing the number may be increased. Each prisoner shall be permitted to mail out any number of letters to his attorney, and the courts.

(iii) No restriction shall be placed on the number of letters a prisoner may receive or on the persons with whom he may correspond, except by court order of a court of competent jurisdiction, or as provided under (c) of this subsection.

(iv) These rules shall not preclude a prisoner being required to place his name and a return post office address on outgoing mail.

(b) Opening or censoring mail.

(i) No general restriction of the number of letters prisoners may receive or of classes of persons with whom they may correspond shall be made by facility rule or policy.

(ii) Incoming mail shall not be censored, but may be opened and inspected for contraband, cash and checks and may be perused for content when the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law. Whenever mail is not delivered by

the jail staff directly to the prisoner to whom it is addressed, it shall be resealed.

(iii) Except by order of a court of competent jurisdiction, outgoing mail shall not be opened unless the responsible staff person designated by the department of corrections or chief law enforcement officer has reasonable grounds to believe that the content of a letter may present a clear and present danger to institutional security, or violates state or federal law.

(c) Notice of disapproval of prisoner mail.

(i) When a prisoner is prohibited from sending a letter, the letter and a written and signed notice stating the reason for disapproval, and indicating the portion(s) of the letter causing disapproval, shall be given the prisoner.

(ii) When a prisoner is prohibited from receiving a letter, the letter and a written signed notice stating the reason(s) for denial and indicating the portion(s) of the letter causing the denial shall be given the sender. The prisoner shall be given notice in writing that the letter has been prohibited, indicating the reason(s) and the sender's name.

(iii) When a prisoner is prohibited from sending or receiving mail, the affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right.

(iv) A written decision of the review of such denial shall be promptly delivered to the prisoner.

(d) Limitations.

(i) Incoming mail of postconviction prisoners that is clearly marked as coming from an attorney, court, or elected federal, state, county or city official, shall be opened only in the presence of the addressee.

(ii) Mail to or from attorneys, courts or elected federal, state, county, or city officials shall not be read.

(iii) There shall be no additional restrictions on prisoner correspondence for disciplinary or punishment purposes, unless the prisoner has violated rules as to correspondence. Upon proper showing of the alleged violation, the prisoner's mail may be restricted for a limited time, but such restriction shall not apply to attorney-client mail or correspondence with the courts.

(3) Packages.

(a) Incoming.

(i) If a facility allows prisoners to receive packages, all packages shall be opened and inspected.

(ii) Packages may be received only if the contents conform to rules adopted by the department of corrections or chief law enforcement officer, and a witnessed receipt for permissible items shall be promptly delivered to the prisoner, unless such package is opened in the presence of the prisoner and all items are given directly to him.

(b) Outgoing. Outgoing packages of prisoner's personal property shall be inspected to insure ownership and compliance with United States postal regulations.

(4) Contraband. Items which are not permitted by jail rules may be destroyed upon the prisoner's written request, placed in the prisoner's personal property box, or returned collect to the sender. A receipt for permissible items received in the mail, including money or checks shall be signed by a staff member and a copy thereof promptly delivered to the prisoner. Contraband, as defined in RCW 9A.76.010, shall be turned over to the proper authorities, for handling as evidence, for disciplinary action or possible prosecution under RCW 9A.76.140, 9A.76.150, 9A.76.160, or other applicable statute(s). [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-210, filed 3/18/81.]

WAC 289-24-220 Visitation. (Detention and correctional facilities.) (1) General.

(a) Open visitation should be provided for those prisoners determined to present a minimal degree of risk to the safety and security of the institution. WAC 289-24-220 (1)(a) ADVISORY.

(b) The degree of security required for each prisoner during visitation shall be determined by the person or persons responsible for classification under WAC 289-16-230.

(2) Social visits.

(a) The department of corrections or chief law enforcement officer shall establish and post rules governing social visits and specifying times therefor.

(b) Each prisoner shall be allowed a minimum of three hours total visitation per week.

(c) Immediate family, i.e., wives, husbands, children parents, brothers, sisters, grandparents, aunts, and uncles, and any person so related through marriage, shall be given preference for allowed visitation time unless the prisoner specifies otherwise.

(d) Except for immediate family members, visitors seventeen years of age and under shall be accompanied by a parent or guardian.

(e) The department of corrections or chief law enforcement officer or his designee may grant special visitation privileges to visitors who have traveled long distances, to visitors for hospitalized prisoners, and for other unusual circumstances.

(3) Business and professional visits.

(a) Each prisoner shall be allowed confidential visits from his attorney or legal assistants and his pastor.

(b) By prior arrangement with the department of corrections or the chief law enforcement officer or his designee, a prisoner shall be allowed confidential visits for business or educational reasons.

(c) Law enforcement professionals shall be allowed to interview prisoners at reasonable times and with prior notice, unless it appears circumstances do no permit delay.

(4) Visitor regulations.

(a) Signs giving notice that all visitors and their accompanying possessions are subject to search shall be conspicuously posted at the entrances to the facility and at the entrance to the visiting area.

(b) Any person may refuse a search but, subsequent to such refusal, may then be denied entrance.

(c) Other reasons for denying entrance to visitors shall include but not be limited to:

(i) An attempt, or reasonable suspicion of an attempt to bring contraband into the facility;

(ii) Obvious influence or effect of alcohol or controlled substances;

(iii) Request from the prisoner's physician;

(iv) Request from the prisoner;

(v) Reasonable grounds to believe a particular visit would present a substantial danger to jail security or management or the welfare of prisoners, staff, or other visitors.

(d) Whenever a visitor is refused admittance during regular visiting hours, the prisoner shall receive notice of the refusal stating the reasons therefor. The affected prisoner is entitled to have such decision reviewed by the disciplinary hearing body, the department of corrections, or the chief law enforcement officer upon written request and shall be promptly informed of this right. A written decision of the reviewing body's determination stating the reason(s) therefor, shall be furnished the prisoner who requested such review. [Statutory Authority: Chapter 70.48 RCW. 81-07-057 (Order 10), § 289-24-220, filed 3/18/81.]

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APPENDIX 6

Introduced by: [illegible]

Proposed No.: 88-87

EXHIBIT

MOTION NO. 7089

A MOTION adopting the current Washington State Corrections Standards Board (CSB) standards for detention and correctional facilities.

WHEREAS, the Washington State Legislature, in enacting Section 17, Chapter 462, Laws of 1987, hereafter referred to as the "County Jail Standards Law," recognized the need for each county operating a jail to do so in a proper and professional manner, and

WHEREAS, the law directs King County to promulgate jail standards to replace those adopted by the Corrections Standards Board which were repealed as of December 31, 1987, and

WHEREAS, the law stipulates that "the standards shall be the minimum necessary to meet federal and state constitutional requirements relating to health, safety, and welfare of inmates and staff, and specific state and federal statutory requirements and to provide for the public's health, safety, and welfare", and

WHEREAS, the council of King County finds that the CSB standards meet the intent of the "County Jail Standards Law", and

WHEREAS, the council of King County further endorses the executive's plan to explore the feasibility of adopting the American Correctional Association (ACA) standards for adult detention facilities following council and executive staff analysis,

NOW, THEREFORE, BE IT MOVED by the Council of King County:

Pursuant to R.C.W. 70.48, King County hereby adopts the mandatory custodial care standards of the Corrections Standards Board for operating the King County Correctional Facility, pending review of the American Correctional Association standards for possible consideration as replacement standards in the event that the council and executive so move at a later date.

PASSED this 16th day of February, 1988.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Gary Grant
Chairman

ATTEST:

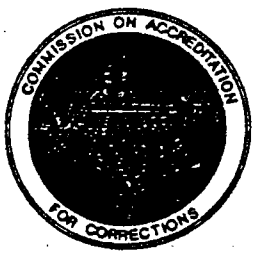
Barbara M. Quam
Clerk of the Council

AMERICAN CORRECTIONAL ASSOCIATION

STANDARDS for Adult Local Detention Facilities

Second Edition

In cooperation with the
COMMISSION ON ACCREDITATION FOR CORRECTIONS



Funded by the Standards Program Management Team, Office of Criminal Justice Programs, Law Enforcement Assistance Administration, United States Department of Justice

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Percentages and Totals of Weights (Mandatory, Essential, Important)

Detention Facilities

CATEGORY	NUMBER	PERCENT
Mandatory	34	8.7
Essential	324	83.3
Important	31	8.0
Total	*389	100.0

Holding Facilities

CATEGORY	NUMBER	PERCENT
Mandatory	34	10.3
Essential	246	74.8
Important	49	14.9
Total	*329	100.0

*of the total 392 standards in the manual, three are not applicable to detention facilities and 63 are not applicable to holding facilities.

Mandatory Standards and Numbers

(2) Physical Plant: 2-5120, 2-5136
(12) Safety and Emergency Procedures: All except 2-5157, 2-5158
(4) Security and Control: 2-5171, 2-5185, 2-5195, 2-5198
(4) Food Service: 2-5228, 2-5231, 2-5234, 2-5242
(4) Sanitation and Hygiene: 2-5243, 2-5244, 2-5247, 2-5248
(6) Medical and Health Care Services: 2-5261, 2-5266, 2-5271, 2-5273, 2-5285, 2-5288
(2) Inmate Rights: 2-5297, 2-5302

Summary of ACA Standards
by W. Keller 1989

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8/29/89

MANDATORY STANDARDS

5120	(2) exits exist from each cell block/housing area.
5136	Interior finishing material meet fire codes.
5149	Facility complies with all applicable fire codes.
5150	Qualified fire/safety officer inspects routinely.
5151	Policy and procedure require adequate fire protection, inspections, equipment testing and availability of extinguishers and other emergency equipment.
5153	Furnishings are purchased which indicate the fire safety performance requirements.
5154	Facility has receptacles for combustibles.
5157	Emergency power for essential lights and communications.
5159	Written evacuation plan.
5160	Prompt release of inmates in emergencies.
5161	All personnel trained to implement emergency plans.
5162	Policy and procedure govern storage of flammable, toxics and caustics.
5171	Inmates have 24 hours supervision.
5185	Policy and procedure govern use of firearms.
5195	Written plans for riots, hunger strikes, hostage and other disturbances.
5198	Policy and procedure restrict use of force (justifiable to self-defense).
5228	Dietary allowance reviewed annually.
5231	Special diets approved by medical staff.
5234	Adequate health protection enforced for food service staff.
5242	Health and safety procedures for food service are enforced.
5243	Weekly (annual) sanitation inspections and documentation.
5244	Water supply tested and meets all standards.
5247	Vermin/pest control and inspection.
5261	Medical, dental, and mental health clinical judgments are sole province of responsible Dr., dentist or psychiatrist.
5266	P/P require 24 hour emergency medical & dental care available.
5271	Training program for health care staff in cooperation with facility.
5273	P/P requires medical screening of all inmates upon arrival.
5285	P/P prohibits use of inmates for medical experimentation.
5288	P/P provides for proper management of all pharmaceuticals.
5297	Deleted.
5302	P/P inmates protected from personal abuse & corporal punishment.

ADMINISTRATION ORGANIZATION AND MANAGEMENT

5001 Statute authorizing detention Facility.
5002 Annual goals and objectives are written by facility administrator.
5003 Annual goals and objectives are written by facility administrator.
*5004 Staff contributes to the development of policies and procedures.
5005 Community contributes to the agency's development of policies and procedures.
5006 Policy and procedure that states the facility is managed by a single administrator.
5008_ Qualifications for the facility administrator.
5009 Qualifications for the facility administrator.
5010 Facility administrator's term is continuous; terminated only for good cause.
*5011 Policies and Procedures are reviewed annually.
5012 Written organizational chart; which is reviewed annually.
*5013 Calls for monthly meetings with the facility administrator and managers and monthly meetings with managers and staff.
5014 Policy and procedure provide for two-way communication between staff and inmates.
*5015 Requires written operational manual.
*5016 Written policy and procedure manual; manual is available to all staff, and reviewed annually.
5017 Policy and procedure require facility administrator to review all programs and operations annually.
5018 Facility administrator provides written quarterly reports to parent agency.
*5019 Written policy and procedure states legal assistance is available to staff.
5020 Facility Administrator prepares annual report for parent agency.
5021 Policy and procedure provide that requests by other government agencies for information are responded to promptly and completely.
5022 Policy and procedure provide for collaboration with local colleges.
5023 Policy and procedure provide for public information.
5024 Deleted.
5025 Policy and procedure grant media access to facilities.
5026 Pretrial intervention or release programs are authorized by statute or administrative regulation.

5007 WHEN FACILITY ADMINISTRATOR POSITION FILLED BY APPOINTMENT THE FACILITY ADMINISTRATOR IS APPOINTED BY THE CHIEF EXECUTIVE OFFICER OR GOVERNING BOARD OF THE PARENT AGENCY.

FACILITY MANAGEMENT
(No Mandatory Standards)

*5027 Administrator responsible to prepare and submit an adequate budget.
5028 Deleted.
5029 Administrator participates in budget deliberations.
5030 Policy and procedure govern budget revisions.
5031 Budget system links all activities to their costs.
*5032 Facility financing not dependant on fee schedule.
5033 Fiscal system accounts for all income and expenditures.
5034 Policy and procedure specify method for collection and dispersement of money.
5035 Deleted.
5036 Fiscal policy and procedures include: Internal controls, employee expense reimbursement, petty cash, handling of inmates funds, bonding and signature control on checks.
5037 Requires annual audits.
5038 Facility administrator prepares income, expenditures and audit reports.
5039 Policy and procedure govern inventory and property controls.
5040 Policy and procedure govern requisition of supplies and equipment.
*5041 Policy and procedure regulate position control, personnel records and payroll.
*5043 Administrator reviews space and equipment needs annually.
5044 Policy and procedure require annual review of all positions.
5045 Policy and procedure provide for inmate purchase of approved items.
5046 If have commissary; policy and procedure provide for strict controls and operations.
5042 FACILITY INSURANCE COVERAGE: WORKER'S COMPENSATION, CIVIL LIABILITY, LIABILITY FOR OFFICIAL VEHICLES, AND PUBLIC EMPLOYEE BLANKET BOND.

PERSONNEL
(No Mandatory Standards)

*5047 Selection, retention and promotions are based on merit and qualifications.
*5048 Policy and procedure provide for lateral entry as well as for promotions.
*5049 Affirmative Action Program exists (all deficiencies are corrected) DELETED
*5050 Affirmative Action Program exists (all deficiencies are corrected)
*5051 Deleted.
5052 Criminal records checks are conducted on all new employees.
5053 Pre-employment physicals are required.
5054 Policy and procedure promote physical fitness.
5055 Policy and procedure govern probationary employment.
*5056 A written compensation and benefit plan exists and is available to all employees.
*5057 Compensation and benefits are comparable to similar organizations in state or region.
*5058 Compensation plan is comparable for corrections officers and law enforcement officers working in same organization.
5059 Deleted.
5060 Deleted.
5061 Administrator reviews personnel policies annually.
*5062 Written job classification system is linked to salary and benefit compensation plans.
5063 A written code of ethics is available to staff.
5064 Facility has a written code of ethics.
*5065 Consultants and contracted personnel must abide by facility rules and confidentiality.
*5066 Employees are terminated or demoted for just cause (after grievance and appeals).
5067 Written performance evaluation criteria is related to job.
5068 Policy and procedure regarding transfers are related to facility needs and employee skills.
*5069 Facility administrator reviews work load requirements annually.
5070 Facility has a calculated shift relief factor.
5071 Policy and procedure provide for provisional appointments.
5072 Facility administrator can document less than 10 percent vacancy rate over an 18 month period.
*5073 Facility maintains current accurate personnel records for each employee.
*5074 Policy and procedure provide for confidentiality of personnel records.
*5075 Policy and procedure provide for employees to challenge information in their personnel files.
5075-1 POLICY AND PROCEDURE PROVIDE FOR AN EMPLOYEE ASSISTANCE PROGRAM THAT HAS BEEN APPROVED BY THE PARENT AGENCY.

TRAINING AND STAFF DEVELOPMENT

*5076	P/P requires planned training programs & supervisor
5077	Training supervisor has revieved special training for position
5078	Training committee required for facilities with over 100 staff
5079	Training unit uses other resources (public & private)
*5080	Budget allows for staff (time/fill behind) to attend training
*5081	New Clerical/Support employees 40 hrs. orientation & 24hrs annual training
*5082	P/P all new support employees (with daily inmate contact) recieve 80hrs. first year & 40 annually
*5083	P/P all new C.O's get 160 hrs.training first year & 40 annual
*5084	P/P new managers get 40 hrs.first year & 24 annual
*5085	If emergency unit - recieve 40 hrs. special training
*5086	Part-time staff recieve appropriate training & orientation
*5087	Staff authorized to use/carry weapons - must qualify annually
*5088	All security personnell trained in self defense/use of force
*5089	Fac.Admin.encourages staff to continue education (reimb.)
5078-1	THE TRAINING CURRICULUM IS DEVELOPED, EVALUATED, AND UPDATED ON AN ANNUAL NEEDS ASSESSMENT THAT IDENTIFIES CURRENT JOB-RELATED TRAINING NEEDS.

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MANAGEMENT INFORMATION AND RESEARCH
(No Mandatory Standards)

*5090 Policy and procedure provides that the facility can access, input and use an organized system of information, storage and retrieval (uses this information in research and decision making).

5091 Policy and procedure govern security of information systems.

5092 Facility collaborates with criminal justice information and gathering exchange systems.

5093 Deleted.

*5095 Annual evaluations of programs and services.

5096 Policy and procedure govern researcher conduct and use of research results.

5097 Policy and procedure govern researcher conduct and use of research results.

5098 Inmates participate in non-medical research and only on a voluntary basis.

5044 INMATE POPULATION ACCOUNTING SYSTEM WHICH INCLUDES RECORDS ON THE ADMISSION, PROCESSING, AND RELEASE OF INMATES.

INMATE RECORDS
(No Mandatory Standards)

0599 Standard discusses information required and recorded at booking.
5100 Policy and procedure govern case record management.
5101 Records exist on all inmates assigned to the facility.
5102 Contents and organization of inmate case records.
5103 Policy and procedure require current, accurate classification and case records for each committed inmate.
5104 System exists which identifies the location of all inmates.
5105 Policy and procedure define persons with access to classification records.
5106 Release of information consent forms.
5107 Weekly summary of all inmate activities.

PHYSICAL PLANT
(Has Mandatory Standards)

5108 Toilets and wash basis are accessible to persons in all activity areas (also lighting, air circulation and temperature).
5109 Booking areas have; access to drinking water, toilets, telephones, interview spaces, sufficient seating for rated capacity.
5110 One inmate occupies cells designed for single occupancy.
5111 Cells are 60 square feet - inmates not locked up more than ten hours.
5112 All cells have access to toilets, water, sink, showers and bed (above floor), writing space, stool, natural light, adequate air circulation, temperature control and noise level control.
5113 Not applicable.
5114 Multiple occupancy areas
Showers/toilets for every eight inmates.
Sink with hot and cold water for every six inmates.
Light, temperature and lockers.
Observation by staff.
5115 Segregation cells - continuous access (to toilets, sink and natural light).
5116 Segregation cell doors permit communication and visual observation by staff.
5117 At least one single cell exists which permits continuous observation.
5118 Separate sleeping quarters (visual and acoustical separation between males, females and juveniles).
5119 Deleted.
M5120 (2) exits exist from each cell block/housing area.
*5121 Perimeter secured/public access denied without proper authorization.
5122 Chemical agents/restraints/security equipment are stored in readily accessible areas to authorized personnel only.
*5123 Sally ports between inmates and public access areas.
5124 Dayroom for each cell block area.
5125 Space outside cell area for exercise.
5126 Size of kitchen for facility.
*5127 Adequate space for administration, programs, clerical employee lounge, records, public lobby and toilet facilities.
5128 Multipurpose rooms for inmates/program activities.
5129— Equal opportunity for male and female inmates to participate in programs. - DELETED
5230 Rooms/closets/sink for inmate cleaning equipment and supplies.
5131 Storage space for inmate clothing/bedding/supplies.
5132 Secure storage for inmate personal property.
*5133 Preventative maintenance plan for facility.
*5134 Facility conforms to federal/state/local building codes.
*M5136 Interior finishing material meet fire codes.
5137 New plants - all cells designed for single occupancy.
5138 Single cells 70 square feet (detention).
NA— 5139 Single cells 70 square feet (holding).
5140 Geographic location of facility.
5141 Facility designed so inmates can be separated by classification plan.
5142 Housing of handicapped inmates.
5143 All public portions of the facility are accessible by handicapped.
5144 Dayrooms are 35 square feet per inmates housed in the area - separate from sleeping area.
5146 In facilities of hundred or more inmates need indoor/outdoor exercise space (at least 30x50 square feet).
5148 Separate/adequate space for all mechanical equipment.
5134-1 PHYSICAL PLANT DESIGN FACILITATES INMATE-STAFF PERSONAL CONTACT.
5135-1 LIVING AREAS CONSTRUCTED TO FACILITATE CONTINUOUS STAFF OBSERVATION
5145 LESS THAN 100 INMATES - INDOOR AND OUTDOOR EXERCISE AREAS PROVIDE MINIMUM 15SQ FT. PER INMATE
5135 DELETED

SAFETY AND EMERGENCY PROCEDURES

*M5149	Facility complies with all applicable fire codes.
*M5150	Qualified fire/safety officer inspects routinely.
*M5151	Policy and procedure require adequate fire protection, inspections, equipment testing and availability of extinguishers and other emergency equipment.
5152	Deleted.
*M5153	Furnishings are purchased which indicate the fire safety performance requirements.
*M5154	Facility has receptacles for combustibles.
5155	Deleted.
5156	Deleted.
*M5157	Emergency power for essential lights and communication.
* 5158	Power generators tested every two weeks.
*M5159	Written evacuation plan.
M5160	Prompt release of inmates in emergencies.
*M5161	All personnel trained to implement emergency plans.
M5162	Policy and procedure govern storage of flammable, toxics and caustics.

SECURITY AND CONTROL

*5163	Policy and procedure for security, control and emergencies are in a manual and available to staff.
5164	Facility has a control center.
5165	Communication system exists between inmates and control stations.
5166	Emergency alarms linked to control stations.
5167	Policy and procedure require security doors remain locked when in in use by employees.
*5168	Audio/visual surveillance not substitute for staff.
*5169	No staff enters high security area without assistance immediately available.
5170	Staff regulates inmate movement
M5171	Inmates have 24 hours supervision.
5171-1	PERSONAL CONTACT AND INTERACTION BETWEEN STAFF AND INMATES
*5172	Staff are provided for all designated security posts.
5173	Staff posts are in or adjacent to all inmate living areas.
5174	Inmates personally observed by officers every 30 minutes.
5175	Facility maintains written records of duty rosters, counts, admits, releases and shift activities.
5176	Supervisory staff inspect all facility areas daily.
5177	Facility administrator or designee inspects facility weekly.
5178	System for accounting for all inmates.
5179	Policy and procedure for searches and disposition of contraband.
5180	Policy and procedure and criteria for personal searches of inmates.
5181	Search policy, authorization and preservation of evidence exists.
5182	Search procedures published and available to staff and inmates.
5183	Availability, control and use of firearms and security devices.
5184	Emergency equipment is stored outside inmate accessible areas.
M5185	Policy and procedure govern use of firearms.
5186	Written records are maintained for use of emergency equipment.
5187	Written reports for use of force or firearms.
*5188	Injured persons receive immediate attention.
5189	Prompt reporting of all harmful incidents.
5190	Policy and procedure govern use of keys.
5191	Policy and procedure govern use of tools.
*5192	Written orders for each custodial post.
5193	Staff read and sign post orders when assigned to new posts.
5194	Procedures regarding escapes are available.
M5195	Written plans for riots, hunger strikes, hostages and other disturbances.
5196	Written plans for mass arrests.
5197	Written plans for work stoppages.
M5198	Policy and procedure restrict use of force (justifiable to self-defense).
5199	Restraints are used to prevent escape during transport or when medically required.
5200	No inmates are given control over other inmates.
5201	Officers maintain permanent logs.
*5202	Department heads visit and inspect facility weekly.
5203	Policy and procedure govern transport of inmates.
5204	Use and security of facility vehicles.
5205	Use of personal vehicles for official purposes.

SPECIAL MANAGEMENT INMATES

*5206 Special units for administrative seg., protective custody and discipline.
5207 Criteria for immediate segregation.
5208 Inmates are placed in disciplinary detention only after a hearing.
5209 Inmates placed in ad. seg. after hearing. — DELETED
5210 Placements in ad. seg. are reviewed every seven days.
5211 Written policy and procedure specifies process to release inmates from administrative seg.
5212 Inmates admitted to ad. seg. for protective custody are documented.
5213 Depriving inmates of any item is justified and documented.
5214 Inmates in segregation get same meals.
5215 Segregated inmates received access to shave and shower at least three times a week.
5216 Segregated inmates get same laundry and linen services as general population.
5217 Segregated inmates have same opportunity to send and receive mail.
5218 Segregated inmates provided visits (unless substantial documented reasons).
5219 Inmates in disciplinary detention allowed limited telephone privileges.
5220 Ad. seg. and protective custody inmates allowed telephone privileges.
5221 Ad. seg. and protective custody inmates access to legal materials.
5222 Ad. seg. and protective custody inmates allowed access to reading materials.
5223 Segregated inmates receive exercise five days a week one hour a day.
5224 Inmates in ad. seg. get access to all programs.
5225 Ad. seg. staff maintain permanent logs.
5226 Ad. seg. get daily visits from the chief security officer (Lt.'s).
5227 Selection and supervision of administrative segregation staff.

5214-1 IF AN INMATE USES FOOD OR FOOD SERVICES EQUIPMENT IN A MANNER THAT IS HAZARDOUS TO SELF, STAFF, OR OTHER INMATES, ALTERNATIVE MEAL SERVICE MAY BE PROVIDED.

FOOD SERVICE

M5228	Dietary allowance reviewed annually.
5229	Quarterly menu evaluations.
5230	All menus are planned, dated and reviewed.
M5231	Special diets approved by medical staff.
5232	Special religious diets are verified and approved.
5233	Experienced staff member manages food service.
M5234	Adequate health protection enforced for food service staff.
5235	Toilet and wash basins available to food service works.
5236	Meals served in non-regimented fashion.
5237	Three meals per day (two hot) not more than 14 hours from breakfast to dinner.
5238	Food not used as a disciplinary measure.
5239	Accurate records on number of meals served.
5240	Food service operation follows written budgeting and accounting processes.
5241	Weekly inspections of all food service areas.
*M5242	Health and safety procedures for food service are enforced.

SANITATION AND HYGIENE

M5243	Weekly (annual) sanitation inspections and documentation.
*M5244	Water supply tested and meets all standards.
5245	Written housekeeping plan.
* 5246	Floors are clean, dry and hazard free.
*M5247	Vermin/pest control and inspection.
5248	Disposal of liquid and solid waste.
5249	Issue clean suitable clothing to new inmates.
5250	Inmates wear personal clothing only when authorized. — DELETED
5251	Issue special/protective clothing to inmate workers.
5257	Exchange of linen and laundry each week.
5253	Issue of bedding and clothing recorded.
5254	Clothing and bedding supply exceeds population.
5255	Provision for necessary cleaning and storage of inmate personal clothing.
5256	Articles for personal hygiene provided.
5257	Inmate access to toilets, wash basins and showers.
5258	Water temperature thermostatically controlled.
5259	Hair care/facilities available to inmates.

MEDICAL AND HEALTH CARE SERVICES

5260	P/P require health care services under control of designate health authority. Final medical judgements by Dr.
M5261	Medical, dental & mental health clinical judgements are sole province of responsible Dr., Dentist or Psychiatrist
5262	Health Authority meet with Fac.Admin. at least quarterly
5263	All health care P/P are reviewed annually
5264	Health care has adequate space, equipment, supplies & materials
*5265	First aid kits are available; as designated by health authority
M*5266	P/P require that 24hr emerg. medical & dental care is avail.
*5267	Facilities w/o full time health care staff - services coordinated by health trained staff.
5268	Health care authority systematically re-assesses services/requirements
*~~5269~~	Arrangements for health care specialists are made in advance - DELETED
*5270	State, federal & local licensure requirements apply to health care personnel. Credentials/job descriptions on file
M*5271	Training program for health care staff in coop. with facility.
5272	Inmates not used to assist with delivery/records of health care
M*5273	P/P require medical screening for all inmates upon arrival
5274	P/P require full health appraisal for all inmates w/in 14days
5275	P/P require post screening,referral& care of mentally ill/retarded
5276	P/P require consultation between health/fac.admin.prior to taking actions with regard to inmates with a diagnosed psych. illness
5277	P/P require dental care provided under gen.direction of dentist
5278	P/P require inmate health complaints are solicited/screened daily
5279	P/P require continuous reponse to health care requests(sick call)
5280	P/P require arrange for necessary"special" medical care/programs
*5281	P/P require detoxification done under medical supervision
5282	P/P require provide inmate with prothesis (if health effected)
5283	P/P govern use of restraints for medical/psych. purposes
5284	All exams/treatment effected by informed consent(same as community)
M5285	P/P prohibits use of inmates for medical-experimentation
5286	P/P specifies process of notification; for servere illness/injury
5287	P/P specifies actions to be taken in case of death
M*5288	P/P provide for the proper management of all pharmaceuticals
5289	Medications administered, recorded according to orders of Dr.& by trained personnel
5290	Medical files kept seperate (contents specified)
5291	Medical files confidential - access controlled by medical staff
5292	P/P states requirements for transfer of health care records/info.
263-1	MANAGEMENT OF SERIOUS AND INFECTIOUS DISEASE.
acr068 5/89wk	
271-1	WRITTEN SUICIDE PREVENTION AND INTERVENTION PROGRAM.

INMATE RIGHTS

5293 Policy and procedure inmate rights to access courts and uncensured legal communications.

5294 Policy and procedure insure inmate access to attorneys.

5295 Inmate access to legal materials; if not adequate free legal assistance is provided.

5296 Policy and procedure inmates have access to paper and typewriters.

M5297 Inmates provided basic medical/dental care. — DELETED

5298 Policy and procedure inmates have right to practice religion; subject only to facility security and order.

5299 Policy and procedures allow inmates rights for visits; subject only to facility order and security.

5300 Policy and procedure inmate rights to correspond; subject only to order and security.

5301 Policy and procedure inmates freedom from discrimination.

M5302 Policy and procedure inmates protected from personal abuse and corporal punishment.

5303 Written grievance procedures for inmates; with one level of appeal.

5304 Deleted.

INMATE RULES AND DISCIPLINE
(No Mandatory Standards)

5305 Written rules for inmate conduct; insure inmates understand.
5306 Inmate rules reviewed annually; consistent with legal principles.
*5307 All staff trained/familiar with inmates rules of conduct.
5308 Written guidelines for informal resolution of minor rule infractions.
5309 Written policy and procedure formal disciplinary process and official reports.
5310 Disciplinary reports include: Rule violations, witnesses, time, location, event details, evidence, actions, etc.
5311 Policy and procedure rule violations; investigation begun within 48 hours.
5312 Policy and procedure that pre-hearing segregation only when necessary for safety.
5313 Maximum sanction for rule violation 30 days each rule violation (60 the whole incident).
5314 Policy and procedure regarding alleged crimes within the institution are referred to law enforcement officials.
5315 Deleted.
5316 Deleted.
5317 Deleted.
5318 Policy and procedure inmates present at hearing unless behavior prohibits; inmate waives rights or during confidential testimony.
5319 Policy and procedure that hearings are conducted by impartial person(s).
5320 Policy and procedure staff assistance provided at disciplinary hearings.
5321 Policy and procedure inmates may present witnesses and evidence at hearings.
5322 Policy and procedure that a written record of a hearing is made and a copy is given to the inmate.
5323 Policy and procedure all hearing dispositions are reviewed by the facility administrator or designee.
5324 Policy and procedure inmate's right to appeal decision of hearing to administrator.
5325 Policy and procedure disciplinary reports removed from file if inmate not found guilty.
5326 Policy and procedure for sentence reduction based on good behavior.

COMMUNICATION, MAIL AND VISITING
(No Mandatory Standards)

5327 Policy and procedure govern inmate correspondence; reviewed annually.
5328 No limit of volume of lawful mail; except where clear evidence, public safety, facility security and order are jeopardized.
5329 Policy and procedure indigent inmates received specified postage allowance.
5330 Policy and procedure defines type of publications allowed.
5331 Policy and procedure than incoming and outgoing mail are not held over 24 hours.
5332 Policy and procedure inmate letters may be opened and inspected for contraband only.
5333 Mail not censured unless clear evidence that there is threat to the facility.,
5333 Policy and procedure (inspection of mail to remove legal tender is receipted and issued to inmates).
5334 Policy and procedure that inmates may send sealed legal mail (legal mail opened only in presence of inmate and inspected for contraband.
5335 Policy and procedure inmate access to telephones.
5336 Policy and procedure govern inmate visiting.
5337 Number and length and visitors subject only to space, personnel and facility schedule.
5339 Policy and procedure provide for informal visiting/communication for low risk inmates.
5340 Policy and procedure govern visits for high risk inmates.
5341 Policy and procedure govern special visits.
5342 Visiting areas provide for privacy.
5338 VISITOR REGISTRATION UPON ENTRY INTO FACILITY AND CIRCUMSTANCES UPON WHICH VISITORS ARE SEARCHED.

ADMISSION, ORIENTATION, PROPERTY CONTROL AND RELEASE
(No Mandatory Standards)

5343 Policy and Procedure govern admission and orientation of new inmates.

5344 Policy and Procedure for admitting new inmates; that the following is addressed: Legal commitment papers, searches, clothing, property, medical screening, telephones, showers, clean clothing, photos, fingerprints, interviews, screening, orientation, hygiene items, classification and housing assignments.

*5345 Intake inmates are separated from general population.

NA — 5346 Procedures for admissions included: Verification of arrest, search, personal property and clothing inventoried, medical screening, telephone calls, photos, fingerprints, interviews, issue of bedding and personal hygiene items.

5347 Policy and procedure, new inmates receive orientation in the language in which they are fluent.

5348 Policy and procedure that new inmates are permitted at least three phone calls.

5349 Policy and procedure specifies what property inmates can keep with them.

5350 Policy and procedure provide for written itemized inventories for inmate property.

5351 Policy and procedure for releasing inmates which includes verification of identity, release papers and return of personal effects.

CLASSIFICATION
(No Mandatory Standards)

*5352 Policy and procedure provide for classification according to level of custody required.

*5353 Classification plan provide for change in custody status.

5354 Provision for separate management of male and female inmates, witnesses, special problems, disciplines, ad. seg. and juveniles.

5355 Policy and procedure states juveniles are separated by sight and sound from adults.

5356 Policy and procedure prohibit segregation by race, color, creed or national origin.

INMATE WORK PROGRAMS
(No Mandatory Standards)

5357 Facility has written work assignment plan for inmates.
5358 Policy and procedure provide pretrial inmates not required to work (except for personal housekeeping or if volunteer).
5359 Inmate work plan provides for facility maintenance.
5360 If statute permits; inmates are assigned to public works projects.
5361 If statute permits; inmates work in nonprofit and community service projects.
5362 Policy and procedure prohibits discrimination in work assignments.
5363 Inmate work plan provides for handicapped inmates.
5364 Inmates are compensated for work.
5365 Inmate working conditions comply with work laws and regulations.
5366 Where statute permits; inmate work plan provides for work credits in reductions in sentences.

INMATE SERVICES AND PROGRAMS
(No Mandatory Standards)

5367 Policy and procedure provide inmate programs and services include religious, recreation, leisure time activities and library services.

5368 Programs and services identify and use community services.

5369 Policy and procedure allow inmates to refuse program participation except work.

5370 Male and female inmates received equal opportunity to access programs and services.

5371 Facility provides for drug and alcohol programs and services.

5372 Inmates participate voluntarily in counseling and religious services.

5373 Policy and procedure allows inmates to participate daily in leisure time activities outside their cell.

5374 Policy and procedure provide inmate access to recreational equipment (one hour daily outside cell).

5375 Policy and procedure, inmates have access to educational programs.

5376 Library services available to all inmates.

5377 Facility has trained volunteer or staff member who supervises library services.

*5378 Sufficient staff is provided to conduct pretrial and/or diversion programs.

RELEASE PREPARATION AND TEMPORARY RELEASE
(No Mandatory Standards)

5379 Release preparation program in available to all inmates.

5380 If statute permits; inmates are allowed escorted and unescorted leaves into the community.

5381 If statute permits; policy and procedure allows for inmate participation in work and education release programs.

5382 Temporary release programs have:

- Written procedures.
- Screening/selection procedures.
- Rules for inmate conduct.
- Record keeping systems.
- System for evaluating program.

*5383 Work and educational release inmates are separated from the general population.

CITIZEN INVOLVEMENT AND VOLUNTEERS
(No Mandatory Standards)

5384 Policy and procedure permit citizen involvement in inmate programs.
*5385 Staff member responsible for volunteer program.
*5386 Lines of authority, responsibility and accountability are communicated to staff and volunteers.
5387 Policy and procedure provide for screening and selection of volunteers.
5388 Volunteers received orientation and training.
5389 Policy and procedure require identification system for volunteers.
5390 Volunteers abide by all facility policy and procedures.
5391 Policy and procedure requires volunteers who perform professional services are certified or licensed.
5392 Policy and procedure states administrator can curtail or postpone and terminate services of volunteer or an organization.

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APPENDIX 8

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UNITED STATES ATTORNEY
Seattle, Washington

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FEDERAL PUBLIC DEFENDER

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JUN 12 1979
OFFICE OF THE CLERK
U. S. DISTRICT COURT
SEATTLE, WASHINGTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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ALLAN ANTHONY BURNIM, On Behalf of Himself and as a Representative Party for the Class of All Federal Pretrial Detainees Held in the Custody and Care of the United States Marshal for the Western District of Washington, Plaintiffs-Petitioners, vs. GRIFFIN BELL, Attorney General of the United States, and J. J. HARVEY, U.S. Marshal for the Western District of Washington, Defendants-Respondents.	NO. C77-453
ROBIN T. CASON, MICHAEL LEE GARLAND, and YVETTE McCOY, Plaintiffs-Petitioners, vs. JAMES COUGHLIN, Director of the King County Department of Rehabilitative Services, Defendant-Respondent.	NO. C78-83M CONSENT DECREE

I. BASIS FOR CONSENT DECREE

1. All of the parties undersigned hereby present to this Court the following consent decree, offered in complete resolution of all issues raised in the above-captioned litigation.

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2. This consent decree and those actions to be taken pursuant to it are applicable only to the class of inmates of the King County Jail designated as pretrial detainees. Pretrial detainees are defined as those individuals who are in custody solely for the reason that they are unable to make bail or have not had bail set on an underlying criminal charge. Such persons shall be referred to hereinafter as "detainees".

3. All parties hereby agree and represent to this Court that the evidentiary basis for this consent decree is established by the entire record of proceedings and discovery taken in this cause to date. All discovery instruments and exhibits annexed thereto, including supplements to said discovery instruments, are presently lodged with the Clerk of the Court, or will be so lodged prior to entry of this or any modified version of this decree by the Court. The project report in the study of King County Jail-Correctional Facilities and the final report in the investigation to define requirements, concepts, costs and general location of King County Jail-Correctional Facilities are hereby incorporated into said discovery materials as genuine copies of said documents. The parties shall file indexed discover materials with the Clerk of the Court.

4. For purposes of this decree and any subsequent enforcement proceedings, all evidence gathered during the discover process may be considered by this Court in evaluating the appropriateness of this consent decree prior to its entry, and may be considered by this Court for any ensuing enforcement proceedings concerning this decree. Any such consideration of said discovery proceedings shall be subject to the legal objections previously made or reserved with regard to said discovery proceedings. The stipulated stay of discovery proceedings pending the resolution

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of settlement efforts by the respective parties shall remain in full force and effect and only upon timely notice to all parties and, with good cause having been shown to this Court, may additional discovery be allowed to any party for the limited purpose of preparation for any possible enforcement proceedings pursuant to this consent decree.

5. Due to the resolution by settlement between and among the undersigned parties of the issues raised herein, it is not necessary or appropriate for this Court to enter specific findings of fact and conclusions of law. The court is satisfied from the entire record of proceedings herein that the remedies contained within this stipulation are specifically justified as appropriate basis and consideration for the negotiated resolution of all of the issues posed by the parties during their efforts at resolving this litigation by consent decree.

6. This consent decree is intended to remedy conditions of confinement in the subject jails which conditions have been alleged by the plaintiffs to deprive them of rights under the First, Fourth, Fifth, Sixth, Eighth and Ninth Amendments. The allegations are: (1) overcrowding of the King County Jail; (2) lack of segregation of pretrial detainees and convicted prisoners; (3) excessive confinement and insufficiency of educational, recreational and vocational programs; (4) inadequate health care; (5) inadequate facilities for confidential conferences with attorneys; (6) inadequate provisions for visits with family and friends; (7) inadequate library services; (8) inadequate provision for detainee hygiene, sanitation and clothing; (9) a lack of adequate ventilation and light; and (10) inadequate staff support. These allegations have been formally denied by the parties defendant.

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7. This consent decree is executed by the parties hereto for the purposes of resolving this action. It is expressly understood and agreed, as a condition hereof, that this consent decree shall not constitute or be construed to be an admission on any part herein by the defendants or as evidencing or indicating in any degree an admission of the truth or correctness of any claim asserted, or of any violation of law alleged by plaintiffs. Further, it is expressly understood by the parties hereto that if the Court shall fail or refuse to approve this consent decree, it shall become null and void and without any force or effect, and none of the parties shall be bound by it.

8. The parties recognize that certain conditions of pretrial confinement must be met as a constitutionally mandated minimum. The parties recognize that the actions necessary for defendants to achieve compliance with controlling standards are a time-consuming and difficult process. In order to promptly ameliorate conditions in said jails while the process of achieving full constitutional compliance develops, the parties have addressed and considered a number of issues and defendant Coughlin has agreed to take certain immediate actions to redress these issues. These issues and the corresponding actions are incorporated in this consent decree with the approval of this court and by the consent of the parties, because said actions constitute the consideration by the parties for the full settlement of this litigation.

9. This consent decree is presented to the court at this time and is hereby so approved in order to more speedily remedy the conditions in the present facility and to avoid delay in the implementation of the remedial provisions herein with respect to the present facility and any future facilities.

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For purposes of this consent decree, the term "present facility" shall mean the facilities of the King County Jail located in the King County Courthouse and Seattle Public Safety Building. Because of the nature of the relief, the Court shall retain jurisdiction herein until such time as the Court is satisfied that the terms of the consent decree have been implemented and that further supervision by the Court is therefore unnecessary.

10. All parties to this consent decree submit to the jurisdiction of the Court for the purposes of this order and its implementation and enforcement.

11. The matters contained in this consent decree are not intended to be an exhaustive compendium of all issues regarding the subject jails. The parties intend and the Court agrees that the defendant Coughlin should be allowed great latitude and flexibility in proposing new programs and in changing and substituting existing programs to best accomplish the constitutional goals sought herein.

12. All undersigned parties hereby agree, and the Court hereby orders the following:

II. IMPLEMENTATION OF CONSENT DECREE

13. All parties to this consent decree hereby recognize and submit to the continuing jurisdiction of the Court until it is determined, by order of the Court, that the provisions of this consent decree have been implemented and that the continuing jurisdiction of the Court is therefore not necessary. At such time as the Court finds that the provisions of this consent decree have been implemented to the satisfaction of the Court and that, therefore, continuing jurisdiction of this Court is unnecessary, the Court shall enter this consent decree and any subsequent modifications by the court as its final judgment in this action.

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14. Attached to and made fully a part of this consent decree through this reference is a compliance plan which describes the actions which have been and will be taken by defendant Coughli in the present facility and with regard to future facilities for purposes of resolving this lawsuit. The parties agree that, viewed as a whole, implementation of the plan incorporated into this consent decree would result in achieving compliance with minimum constitutional standards for incarceration of pretrial detainees.

15. The defendants shall take each and every lawful act, and consistent with the legal authority of defendants to so act, execute all necessary documents, perform all necessary official acts, make all necessary directives and orders to subordinates, expend or authorize the expenditure of all necessary funds, and take whatever other actions as are necessary to fully implement each and every provision of this consent decree as set forth therein. It is understood by all parties that defendants Bell and Harvey are joined in this suit because they are the parties responsible for the safekeeping of federal pretrial detainees housed at the King County Jail pursuant to a contract. Those detainees when housed at the King County Jail will be afforded the same benefits under the decree as state pretrial detainees. It is understood, however, that in the event defendant Coughlin and the King County Jail are unable to make the changes contemplated by the decree, neither defendant Bell nor defendant Harvey nor their agents and assigns have any authority or responsibility to themselves implement the specific plan for compliance attached to this decree, except as may be provided by contract. Defendants Bell's and Harvey's obligations are set forth in their Contract J279C-000-0BR-El or subsequent renewals

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or modifications. Whatever obligations defendants Bell and Harvey may have to the federal pretrial detainees under the Constitution for safekeeping, other than that in the King County Jail, are not addressed in this consent decree. Defendants Bell and Harvey do however affirm their intent to continue to house federal pretrial detainees in the King County Jail and will continue at all times to support, encourage and when possible assist defendant Coughlin in accomplishing the plan for compliance.

16. The compliance plan incorporated by this consent decree shall be self-executing except where specifically provided otherwise. If any provision of this consent decree or the compliance plan, including any timetable contained therein, becomes impossible of performance or would work an unreasonable hardship on defendants due to circumstances beyond defendants' control, or if it appears that the objectives sought can better be achieved through modification of any such provision, then defendants may seek appropriate relief from the Court according to the following procedure:

A. Defendants shall, within 60 days following the date stated for implementation of such provision, file and serve a written report setting forth (1) the precise provision which cannot be implemented as provided in the consent decree and plan; (2) the reason(s) why such provision cannot be so implemented; and (3) a detailed proposal for accomplishing the objectives of such provision, including estimated timetable and any application for modification to the provision or alternative measures which would address the problem sought to be remedied.

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B. Plaintiffs may object to and file a written response to any application for modification within 20 days of timely notice of the lodging of such application.

C. In acting on said application, the Court shall treat it as a motion to modify the appropriate provision of this consent decree or the compliance plan. Such motion may be decided with or without oral argument and the presentation of evidence.

17. Within one hundred eighty (180) days of the adoption of this decree by the Court, or at such other times as the Court may determine, the Court shall set a hearing or require written status reports, at which time the parties designated by the Court shall report concerning the implementation of this decree.

18. It is intended by the defendants that this consent decree shall be binding upon said defendants, their officials, agents, employees and other persons acting at their direction, and all successors in interest.

19. All costs of suit and attorney fees incurred by any party to this litigation, as of the date of entry of this consent decree or pursuant to paragraph 16 above shall be borne by the respective parties.

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III. NOTICE PROVISIONS

20. Copies of this consent decree, along with an approved form of notice, shall be conspicuously posted in diverse places in the subject jails. Said notice shall provide that all members of the respective classes in both lawsuits shall be given twenty (20) days from the date of posting to submit to this Court and the parties in writing any objections concerning the remedies set forth in this consent decree.

21. The Court, after opportunity for counsel for the parties to be heard, shall determine if hearings on the proposed consent decree shall be required in the light of said objections before the decree is finally entered.

IV. COMPLIANCE COMPLAINTS

22. Complaints by detainees regarding implementation of this decree may be directed to the Office of the Seattle-King County Public Defender Association, 623 2nd Avenue, Seattle, Washington, 98104, and the Office of the Federal Public Defender,

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29100138

505 Madison Street, Room 210, Seattle, Washington 98104, for appropriate action by the attorneys for the plaintiff classes.

Dated this _____ day of June, 1979.

_____
UNITED STATES DISTRICT JUDGE
Recommended for Entry:

Presented by:

NORM MALENG
King County Prosecuting Attorney

_____
UNITED STATES MAGISTRATE

By _____
ROBERT I. STIER
Deputy Prosecuting Attorney

By _____
RICHARD W. ELLIOTT
Deputy Prosecuting Attorney
Attorneys for Defendant Coughlin

Approved for Entry:

_____
SUSAN BARNES
Assistant United States Attorney
Attorney for Defendants Bell and Harvey

_____
WILLIAM J. BENDER
Assistant Federal Public Defender
Attorney for Federal Pretrial Detainee Plaintiffs

_____
RAYMOND H. THOENIG
Assistant King County Public Defender
Attorney for State Pretrial Detainee Plaintiffs

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PLAN FOR COMPLIANCE
WITH CONSENT DECREE

I. ACTIONS WHICH CAN BE ACCOMPLISHED BY DEFENDANTS IN THE PRESENT FACILITY AND WHICH EITHER HAVE BEEN ACCOMPLISHED OR ARE IN PROGRESS.

Unless otherwise specified herein, and subject to the provisions of paragraph II-16 of the consent decree relating to modifications of this compliance plan, defendant Coughlin shall complete the actions listed in this Part I within 90 days of the signing of the consent decree.

FACILITIES ACTIONS

A. Renovation of Health Services Facilities.

Remodeling of the Unit II Infirmary shall be accomplished, including new examination rooms, pharmacy and laboratory areas, physician and psychiatrist offices, enlarged patient reception area, modernization of the hospital area of the infirmary, and improved fire safety. Completion of the project shall provide a much improved working and patient examination and treatment area. Included in the renovation shall be a dental opertorium which will provide for detainee dental services within the facility.

B. Purchase of Dental Equipment.

Approximately $15,000 of new dental equipment shall be added to the dental opertorium. A detailed list of such equipment shall be made available to plaintiffs' attorneys.

C. Attorney Consultation Facilities.

1. Defendant Coughlin shall provide sufficient interview areas allowing confidential attorney-client consultations.

2. Such areas shall be soundproofed, ventilated and lighted.

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3. Supplemental ventilation shall be installed in attorney consultation and visiting areas in Unit I. The renovation shall include installation of four new exhaust fans in exterior windows, along with associated grills, ductwork and diffuser.

D. Laundry Facilities.

Defendant Coughlin shall cause to be installed new laundry facilities for the purpose of serving the entire present facility and laundering the clothing and bedding issue required by this compliance plan.

E. Ventilation in Present Facilities.

Defendant Coughlin shall increase inspection and maintenance of ventilation equipment in the present facility to maintain air flow of 10 cubic feet fresh or purified air per minute per detainee.

ACTIONS INVOLVING BOTH FACILITIES AND PROGRAM ACTIONS

F. Expansion of Recreational Facilities and Programs.

1. New equipment. Defendant Coughlin shall make substantial additions to existing recreational exercise equipment, including the following or its equivalent:

4 heavy-duty rowing machines

7 wall-mounted pressing stations

5 incline abdominal boards

4 contour jogging machines

2 bicycle trainers

Placement of the new equipment shall be in accordance with the following plan, with defendant Coughlin retaining the flexibility to make such changes as will not detract from the over-all effectiveness of the recreation program.

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The South Yard-Out (lightwell) area of Unit I shall be converted into an exercise room, leaving the North Yard-Out area for running games such as basketball and volleyball. Equipment planned in the South Yard-Out includes:

3 Mach I pressing stations

2 incline abdominal boards

1 bicycle trainer

2 contour joggers

1 rowing machine

Equipment planned for the Unit III dayroom includes:

1 Mach I pressing station

1 rowing machine

1 bicycle trainer

1 incline board

Equipment planned for the 8th floor recreation room of Unit II (space permitting) includes:

1 Mach I pressing station

1 rowing machine

1 abdominal board

1 contour jogger

2. Expansion of recreational programs. Defendant Coughlin shall accomplish a considerable expansion of the recreational program through addition of two recreation specialists, new active recreation equipment and more recreational programs. Also, detainee recreational time shall be increased to one hour per day, seven days per week, to allow greater opportunity to use the expanded facilities and programs. The pieces of active recreation equipment planned for the South Yard-Out will be placed around the perimeter, so that detainees can move between stations on a

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rotating basis. The North Yard-Out will be used for games involving running or otherwise requiring floor space. The recreation room in Unit II presently holds a pool table and ping pong table. Four pieces of new equipment will be placed there or, if space does not permit, the equipment will be located in work release and other areas. The recreation specialist staff members shall develop other programs in addition to active recreation.

3. Written procedure. There shall be a specific written policy and procedure for a planned program of detainee recreational activities.

G. Health Services.

The King County Jail shall maintain an adequate health care program to meet the general and emergency health care needs of detainees. The term "health care" includes mental health and dental services.

1. Necessary actions shall be continued to achieve American Medical Association (AMA) accreditation of jail health services facilities and programs. Accreditation shall be achieved by December 31, 1979.*

H. Telephone Usage and Facilities.

Defendant Coughlin shall increase general telephone usage to 1/2 hour per day maximum, seven days per week, per detainee. Telephone consultations with attorneys shall not be limited to a maximum daily limit. Defendant Coughlin shall also accomplish the installation of nine new telephones to provide greater telephone visiting and attorney calls. Locations: Unit I, two new lines on A deck and three on C deck; Unit II, one new line on 7th Floor North and one in the social service office;

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Unit III, one new line on 6th Floor North and one at the booking counter.

I. Environmental Sanitation.

1. General. Detainees shall be provided adequate cleaning materials to clean living areas daily, including broom, dustpan, cleaner, disinfectant, and mop. Defendant Coughlin shall adequately exterminate to control pests and vermin.

2. Housekeeping schedule. The housekeeping schedule shall include and shall accomplish:

a. Sweeping of floors; removal of trash; and dusting of bars, screens and ledges each day.

b. Cleaning of shower facilities and janitors' closets with hot water, soap and scouring powder each day.

c. Thorough cleaning of toilets, wash basins, sinks, and other sanitary equipment in the living units each day.

d. Emptying and cleaning of receptacles provided for cigarette stubs, burned matches and other refuse each day.

PROGRAM ACTIONS

J. Implementation of Coordinated Intake Program.

Defendant Coughlin shall implement a Coordinated Intake Program designed to improve and optimize utilization of pretrial release in coordination with numerous criminal justice agencies and jurisdictions. This program will be funded primarily through a federal LEAA grant ($249,640) and partially by the County ($27,718). It will add nine new positions to the Department of Rehabilitative Services (DRS) Screening Staff, including under

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present plans a project supervisor, three pretrial service counselors, one PR interviewer, one PR caseworker, one social worker, one office assistant III (secretary) and one office assistant II (clerk). The specific objectives of the program shall be as follows: (1) develop planning process to coordinate intake and pretrial release programs; (2) improve existing pretrial release programs; (3) develop more intensive assistance to detainees not able to obtain release at initial entry into jail; and (4) develop reports which will assist in improving jail management and monitor delivery of pretrial services. The following informational goals will be aided through implementation of the program: (1) accounting of daily population by classification; (2) inclusion of Seattle Municipal Court calendars and actions; (3) ability to track detainees; (4) ability to monitor provision of pretrial services; (5) ability to monitor effect of release procedures. The proposed program will create the nucleus of a coordinated intake process, initially around County staff already providing personal recognizance release services and jail social services. To this nucleus will be added a second level of screening of pretrial detainees not released within the initial few days. A complete description of the program is contained in the grant application and shall be made available to plaintiffs' attorneys.

K. Implementation of Health Screening and Referral Project.

Defendant Coughlin shall implement a Health Screening and Referral Project designed to provide jail health screening to all detainees upon admission and to identify and provide treatment to those with mental illness or developmental disabilities. The project shall be directed to compliance with Standards 5163 and

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5177 of the Manual of Standards for Adult Local Detention Facilities. Total project funding will be approximately $100,000, primarily through a federal LEAA grant and partially by the County. The specific objectives are as follows: (1) screen all detainees prior to placement in general population; (2) provide out-of-detention placement services for identified mentally ill and developmentally disabled; (3) improve clinical management of mentally ill and mentally retarded within the jail; (4) broaden screening and identification capability of County's clinical corrections staff; (5) provide evaluation feedback and consultation to courts following clinical evaluations; and (6) monitor interaction between released persons and community treatment and support systems. Planned personnel additions include one corrections officer, one allied health professional and three case manager social workers. The personnel will be involved in receiving screening; in-custody assessment, treatment and preparation for community placement; and referral to appropriate community care resources. A copy of the program description shall be made available to plaintiffs' attorneys.

L. Library Services.

Defendant Coughlin shall expand the library system by increasing the staff from 1.5 to 2.0 FTE librarians and by increasing reading lists circulated among detainees.

M. Staff Training Requirements.

1. Education. Each corrections officer shall have earned at least a high school education, or its equivalent.

2. Training.

a. Initial: All corrections officers shall undergo 80 hours of initial training.

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b. Inservice: All corrections officers working with detainees shall undergo 40 hours of training every year thereafter.

c. Included in such training:

(1) Correctional history and philosophy;

(2) Correctional program development;

(3) Facility planning;

(4) Facility and personnel management;

(5) Administrative and logistical support management;

(6) Recent developments in penology and corrections;

(7) Good health and hygiene practices;

(8) Recognition of mentally ill and suicidally inclined detainees;

(9) Fire prevention and safety;

(10) Inmate attitudes and behavior;

(11) Minority group relations;

(12) Community relations;

(13) Legal rights of detainees;

(14) Security equipment;

(15) Security and emergency procedures;

(16) Supervision of detainees;

(17) An approved course in first aid training.

d. Medical training.

(1) There shall be at least one corrections officer on duty on each shift with certification in first aid, emergency care procedures and CPR.

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(2) All corrections officers shall have training in the above, in addition to training in the recognition of the symptoms of mental illness, retardation, and handling detoxification from alcohol, barbiturates and similar substances.

N. Staff To Detainee Ratios.

Defendant Coughlin shall maintain a minimum ratio of one staff member per 20 detainees, with 24-hour supervision. Whenever a facility houses female detainees, 24-hour supervision shall be provided by female staff personnel.

O. Surveillance.

Defendant Coughlin shall maintain adequate security tours and surveillance of all detainees so as to provide for detainee safety and institutional security.

P. Communications With Staff.

Staff personnel shall be stationed close enough to detainee living units to hear calls for help, smell smoke and respond to emergencies. There must be a working method for detainees to communicate complaints and problems to staff immediately. Defendant Coughlin shall include the above in a written standard operating procedure.

Q. Communication of Health Complaints.

1. Sick call. The facility shall provide space and staff for a daily sick call each weekday under the immediate supervision of a licensed physician.

a. Sick call procedures shall be posted prominently for detainee and staff information;

b. Provision shall be made for obtaining necessary care for detainees who become ill on weekends.

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2. Communication. There must be written standard operating procedures whereby any detainee's medical complaint is immediately made known to an attending physician or medical staff.

R. Emergency Health Care.*

Defendant Coughlin shall utilize the emergency facilities of HMC and/or have on file other written agreements with one or more health care providers, such as hospitals or medical clinics, to provide emergency services either at the facility or at the location of the health care provider. A schedule which lists the names, telephone numbers and call days of the emergency physician(s) and health care provider shall be posted prominently at each facility staff station. All staff personnel responsible for the supervision, safety and well-being of detainees shall be trained in emergency first aid procedures. Each Unit shall have a minimum of one first aid kit located in a place accessible to all staff members. It is the responsibility of the facility administration to insure that the first aid kit is adequately stocked with fresh and usable supplies at all times.

S. Detainee Correspondence.

Defendant Coughlin shall comply with the following rules governing detainee correspondence:

1. Any facility plan for the handling of detainee correspondence must be consistent with both established legal rights of detainees and facility security.

2. Defendant Coughlin's staff may inspect, but not read, incoming mail. For purposes of this section S, the term "mail" shall include only letters and postcards. Designated attorney-client mail may be inspected only in the presence of detainee. Outgoing mail may not be inspected.

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3. Neither incoming nor outgoing mail may be read or censored, absent specific court order.

4. If contraband is discovered in incoming mail, it shall be removed and notice of removal given to the detainee. Cash, checks or money orders must be credited to the detainee's account.

5. There shall be no restrictions on volume of mail to or from a detainee.

6. Detainees may purchase a reasonable amount of writing material. Indigent detainees shall be provided enough materials and postage for five letters per week upon request.

7. Detainees may send or receive mail to or from anyone they wish, absent court order. Mail shall be delivered to detainees within 24 hours from receipt by the jail.

8. Facility personnel shall in no way interfere with mail to or from attorneys, courts or public officials, except that incoming mail so designated may be inspected, but not read, in presence of detainee.

T. Detainee Disciplinary Procedures.

1. There shall be written standard rules and penalties to guide detainee conduct, stated simply and affirmatively, posted conspicuously in living areas and the booking area. Notice of said rules shall be given to each detainee upon booking.

2. Detainee disciplinary rules shall:

a. Be designed to effectuate or protect facility security or order;

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b. Be specific enough to give detainees adequate notice of what is expected of them;

c. Be accompanied by a statement of the range of sanctions that can be imposed for violations. Such sanctions should be proportionate to the gravity of the rule and severity of the infraction; and

d. Minimum due process standards shall control the administration of these rules.

U. Commissary.

There shall be provision for detainees to purchase items such as food, tobacco products, toilet articles, stationary supplies and reading materials. The cost to detainees shall not be greater than the cost to the facility plus a reasonable percentage which will be allocated to the Inmate Welfare Fund.

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II. ACTIONS WHICH CAN BE ACCOMPLISHED BY DEFENDANTS IN THE PRESENT FACILITIES WITHIN THE NEXT SIX MONTHS.

Unless otherwise specified herein, and subject to the provisions of paragraph II-16 of the consent decree relating to modifications of this compliance plan, defendant Coughlin shall complete the actions listed in this Part II within six (6) months of the signing of the consent decree.

FACILITIES ACTIONS

A. Artificial Lighting.

Defendant Coughlin shall retain a consultant in order to determine the feasibility of upgrading the level of artificial lighting in the living areas of Unit I of the present facility to 30 foot candles, which may be both occupant and centrally controlled. Within 90 days of the court's signing of this decree, defendant Coughlin shall present to the court a plan for achieving the above objectives or in the event that such objectives are determined not to be feasible, an alternative plan and justification for enhancement of lighting in Unit I. Implementation is subject to approval by the King County Council. In the event that the Council does not approve the plan presented, the provisions of paragraph II-16 of the consent decree shall apply.

B. Noise Dampening of Security Doors.

Security doors located in the sally port adjacent to the visiting areas in Unit I of the present facility shall be modified as necessary to dampen metallic noise resulting from operation of the doors.

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ACTIONS INVOLVING BOTH FACILITIES
AND PROGRAM ACTIONS

C. Contact Visiting.

Defendant Coughlin shall establish a program for limited contact visiting in the present facility according to the following guidelines. Detainee contact visiting shall be provided at least three days per week in that section of the Unit I attorney consultation area presently equipped with doors. Four detainees will be allowed to have one-half hour contact visits at one time, and there shall be at least three rounds of such visits per visiting day. Detainees will be eligible for a minimum of one such visit every two weeks under criteria to be established by the Department of Rehabilitative Services. Such criteria shall include considerations of security and classification of the detainee. When possible, a detainee shall be afforded a visit within eight days of incarceration. Appropriate space shall be provided for visitor waiting areas and search areas. The above program and facility action is subject to King County Council approval. In the event that the Council does not approve the plan presented, the provisions of paragraph II-16 of this consent decree shall apply.

D. Fire Safety.

The facility shall be equipped with adequate smoke and fire detectors as determined by the Fire Marshal. There shall be a written emergency evaluation plan consistent with state standards.

PROGRAM ACTIONS

E. Personal Recognizance Screening.

In conjunction with implementation of the Coordinated Intake Grant referred to in Part I of this compliance plan,

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supra, defendant Coughlin shall establish procedures to complete the personal recognizance screening function within 12 hours of the booking of a detainee.

F. Classification.

Defendant Coughlin shall develop a written operating procedure with standards for classifying detainees based on age, felony or misdemeanor charge, prior criminal record, medical status and special health care needs, danger to self or others, whether threatened by other inmates, and any special disciplinary or security status. Reasonable efforts will be taken to segregate detainees from convicted offenders.

G. Informational Materials.

Defendant Coughlin shall review, revise and expand the packet of informational materials given to the detainees during the intake process to include information on jail health services, visiting, recreation, attorney and general visiting, library services, communication of complaints, telephone usage, religious services, emergency procedures, vocational and educational programs, and reference to areas where disciplinary rules and regulations are posted.

H. Standard Procedures for Medications.*

The Health Department shall revise written standard operating procedures relating to prescribing medications for detainees according to the following standards:

1. No person other than a licensed physician, or other health professional licensed to do so, shall prescribe prescription medications for a detainee.

2. There shall be procedures for continuing the prescribed medication a detainee is taking prior to or upon incarceration.

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3. No prescription shall be interfered with, taken away, or revoked by anyone other than a medical doctor or by one acting pursuant to his order and direction.

I. Health Services Quality Assurance Program.*

The Health Department shall provide for periodic inspection and review of all health care delivery facilities and services on at least an annual basis through development and implementation of a Quality Assurance Program. The program shall be designed to measure and evaluate facilities and program effectiveness and shall provide for detainee feedback. The Health Department shall coordinate with the King County Medical Society in providing that organization with an advisory or review role in the Quality Assurance Program.

J. Standard Procedures Governing Health Services.

The following health services actions shall be implemented according to written operating procedures.

1. Preliminary health screening.

a. Receiving screening shall be performed on all detainees upon admission to the facilities before being placed in the general population or housing area, with the findings recorded on a printed screening form approved by the responsible physician.

b. If the screening observation indicates serious head injuries, internal injuries, serious open wounds, excessive bleeding, unconsciousness or comatose state, severe symptoms of withdrawal from alcohol or controlled substances, or any other mental or physical condition which the screening officer determines to be emergency in nature, the screening officer shall immediately refer the person to the jail medical staff for treatment on

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an emergency basis. Should jail medical staff determine that the person cannot be adequately treated in the jail infirmary, such treatment shall take place at HMC or at any other appropriate medical facility.

c. If the observation indicates tuberculosis or other serious communicable diseases, the detainee may be admitted, but shall be separately housed from the rest of the detainee population. Arrangements shall be made for prompt transfer to a facility equipped to provide appropriate care, unless the admitting facility can safely and effectively maintain a suitable course of treatment for the detainee while insuring the safety of the rest of the inmate population.

2. Physical examination.* Detainees shall receive a complete physical examination within seven to 14 days of admission. Such examinations shall comply with AMA accreditation standards for jail medicine and include the following:

a. Review of the earlier receiving screening;

b. Additional data to complete the medical and psychiatric history;

c. Laboratory and diagnostic tests to detect communicable disease, including venereal diseases and tuberculosis;

d. Height, weight, pulse, blood pressure and temperature;

e. Other tests and examinations as appropriate; and,

f. Standardized medical examination with appropriate comments about mental and dental status.

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The physical examinations shall be supervised by a licensed physician and conducted pursuant to the AMA standards for jail facilities.

3. There shall be written operating procedures from a licensed physician for any treatment of detainees by medical personnel other than a physician.

4. Serious and emergency psychiatric problems will be referred directly to the Harborview Medical Center (HMC) which provides a separate therapeutic environment with up to ten beds as needed.

Emergency and complicated dental surgery will be referred to HMC as needed. Treatment space and equipment for dental problems will be provided on-site and at HMC.

K. Mental Illness.

If observation indicates that a detainee may be mentally ill, the screening officer shall immediately inform medical staff and obtain an evaluation and investigation by psychiatric personnel assigned to the jail, or the County designated mental health professional if the detainee appears to be appropriate for commitment under RCW 71.05 as amended. If the person has an attorney, the facility shall notify that person's attorney.

L. Legal Assistance and Research Materials.

1. Detainees shall be permitted to purchase and receive law books and other legal research materials. Detainees shall be permitted to keep as many of these materials in their personal living areas as fire and jail security regulations permit.

2. Pro se detainees shall be allowed access to a typewriter for the purpose of preparing legal materials and for other uses in connection with their legal defense. Pro se

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detainees have a right of access to legal assistance from individuals with legal training, or from an appropriate law library, and to supplies and services related to legal matters as set forth herein.

M. Reading Materials.

Detainees may obtain books and magazines directly from publishers, book clubs and book stores. Only material meeting United States Supreme Court definitions of obscenity or that material creating a clear and present danger to jail security may be censored by defendants. At least one daily newspaper of general circulation (Seattle Times or Seattle Post-Intelligencer) shall be provided in each dayroom for detainee reading.

N. Visiting.

1. Attorney consultations.

a. Defense counsel shall be able to consult with detainees 24 hours a day, seven days a week. Detainees shall be produced promptly for such visits.

b. Visits shall be private and unmonitored.

c. Defense counsel may be accompanied by witnesses, investigators or others.

d. Defense counsel shall be permitted, when determined by DRS, as per these standards, to use private interview rooms for interviewing client detainees where effective communication is not possible in the regular attorney-client consultation areas. In evaluating such requests, DRS shall consider any combination of the following factors: (1) whether the emotional or psychological state of the detainee is such as to foreclose communication except in a private setting; (2) whether the number of persons necessarily

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involved in the interview requires the use of a larger space; (3) whether the interview requires special conditions of confidentiality; and (4) space, staffing and security limitations.

2. General visiting. Defendant Coughlin shall establish an open visiting program from 7:00 a.m. to 10:00 p.m. daily which meets the following minimum requirements with respect to each detainee:

a. Three visiting hours per week per detainee;

b. Special additional visiting hours and arrangements for visitors travelling over 50 miles;

c. Duration of visits of not less than 30 minutes each;

d. Visits by ministers, physicians, approved therapists, probation officers, attorneys and paralegals shall not be counted against the minimum visits;

e. Visiting areas shall provide for privacy in conversations (visual surveillance allowed);

f. Detainees may be searched before and after visits or other contact with the outside. Detainees will be given notice that they are subject to search. Visual inspection of body cavities shall be conducted by trained personnel in an area which will afford privacy. Manual or instrument inspection of body cavities may be conducted only by trained medical personnel and only if jail staff has "reason to believe" that contraband is being carried by the detainee.

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O. Provision of Clothing, Bedding and Hygienic Supplies.

1. Clothing. Detainee clothing shall be properly fitted, climatically suitable, durable, easily laundered and repaired, and presentable. A standard wardrobe should include outergarments, undergarments, socks, shoes, and as appropriate coats, jackets and headwear.

2. Bedding. The standard issue of bedding should include two sheets, one mattress and sufficient blankets to provide comfort under existing temperature conditions. Mattresses shall be fire retardant and standard size.

3. Personal hygiene supplies. Each detainee shall receive a clean washcloth and two clean bath towels weekly. There shall be drying racks for towels. Upon admission, and as needed thereafter, detainees shall be provided a toothbrush, toothpaste, comb, soap and sufficient shaving equipment.

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III. ACTIONS WHICH REQUIRE ACQUISITION OF NEW FACILITIES AND TIMELINES.

A. INS Building Transfer.

Defendant Coughlin shall proceed to acquire the U.S. Immigration and Naturalization Service facility (INS Building) located in Seattle for an expanded Work Release/Education Program. When fully occupied, the facility will house approximately 300 inmates. In the interim, prior to acquisition of the entire facility, defendant Coughlin will initiate a pilot program for housing approximately 80 inmates in the INS Building on a leased space basis.

1. Following opening of the new work release facility, and remodeling of vacated Unit I space, no more than two detainees per cell will be housed in the 40-man tanks located in Unit I. Detainee dormitory population on I Deck of Unit I will be cut in half, doubling the amount of space per detainee in those dormitories.

2. Timeline for Work Release/Education Program expansion.

a. March, 1980: Lease/Remodel portion of INS Building; program commences.

b. July, 1981: Acquisition of INS Building from General Services Administration, reconstruction renovation commenced.

c. January, 1982: Inmate transfer commenced. Population phased in as renovation completed.

d. July, 1982: Detainees housed in Unit I 40-man tanks limited to two detainees per cell. Substantial segregation of detainees from convicted inmates. Dormitory populations reduced as specified in paragraph III-A-1 above.

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B. Construction of New Jail Facility.

1. Defendant Coughlin shall proceed with acquisition, design and construction of a new jail facility. Any new facility shall comply with minimum constitutional standards, including the following:

a. Living Units or Cells.

i. There shall be no more than two detainees per cell, which cell shall have a floor area of at least 72 square feet. In no event shall detainees be double-celled for longer than 60 days. Detainees shall routinely be provided with substantial opportunity to leave their cells during all but regular sleeping hours and security checks; provided, that the facility may impose reasonable limitations on such movement on account of special circumstances relating to security or maintenance of order.

ii. Each cell shall have:

a. Toilet facilities.

b. Hot and cold running water; drinking fountain or cup.

c. Circulation of at least 10 cubic feet of fresh or purified air per minute.

d. Adequate seasonal heating and cooling Mean temperature 65-85 degrees Fahrenheit.

e. Natural light (clear material in windows).

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f. Lighting of at least 30 foot candles, which is both occupant and centrally controlled (adequate light for reading).

g. Acoustics insuring noise levels which do not interfere with normal human activities:

(1) 65-70 decibels or less does not interfere with normal conversation;

(2) 40-45 decibels or less allows normal sleep.

b. Dormitories -- Multiple occupancy.

i. Dormitories shall house no more than 50 detainees each, and have:

a. A minimum of 60 square feet of floor area per detainee, and a clear floor-to-ceiling height of eight feet.

b. Adequate toilet and shower facilities (situated to allow privacy); one shower and one toilet for every 15 people.

c. Access to hot and cold running water.

d. A locker for each detainee.

e. Lighting of at least 30 foot candles.

f. Acoustics insuring noise levels which do not interfere with normal human activities:

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(1) 65-70 decibels or less does not interfere with normal conversation;

(2) 40-45 decibels or less allows normal sleep.

g. No double bunking without 10-foot ceilings.

c. Classification.

i. Reasonable efforts shall be taken to segregate detainees from convicted offenders.

ii. Exceptions may occur to provide protection and security for certain detainees, i.e., homosexuals, medical isolation (physical and mental), conflicts of interests, or where necessary for the security and order of the facility.

2. Timeline for new facility.

a. 1979: Environmental Impact Statement filed, preliminary design, commence site acquisition.

b. 1980: Design, site acquisition, preparation of contract documents.

c. 1981: Bid contracts, commence construction.

d. 1982-1983: Construction.

e. December, 1983: Project completed; transfer of detainees to commence.

*Medical services are provided by the Seattle-King County Department of Public Health. Medical personnel, policies and

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programs are administered and/or employed by the City of Seattle, which is not a party to this litigation. Nothing herein shall be construed as binding on the City of Seattle or as extending the jurisdiction of this court over said City of Seattle. The actions affected by this statement include paragraphs I(G)(1). I(R), II(H), II(I) and II(J)(2).

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APPENDIX 9

AGREEMENT TO ENTER INTO STIPULATED ORDER ON SECURITY, STAFFING, TRANSPORTATION, AND CAPACITY ISSUES

Following mediation on issues raised in Hammer et al. v. King County, et al., U.S. District Court for the Western District of Washington at Seattle, Cause No. C89-521R, Defendant Steve Schwalb, in his personal and official capacity, and on behalf of Defendant King County, and on behalf of Defendant Tim Hill in his official capacity (hereinafter referred to collectively as Defendants), Fred Diamondstone and John Midgley on behalf of Plaintiffs Calvin Hammer, Edward Boekel, Wilborn Kelly Stevens, and Melton Atkins, and on behalf of a class of Plaintiffs comprised of all persons presently confined or who will be confined in the King County Correctional Facility (KCCF), and Jared Karstetter on behalf of Public Safety Employees Union Local 519 participating as amicus curiae in this litigation, hereby agree to enter into a Stipulated Order on the following terms:

1. Purpose

This agreement and the proposed Stipulation and Order do not resolve all issues raised in this litigation. This

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agreement and the proposed Stipulation and Order do resolve all issues raised in Plaintiffs' Motion for Preliminary Injunction. Except as set forth in Section 17 hereto, this agreement and the proposed Stipulation and Order also resolve all issues raised in this litigation concerning the transportation of inmates of the KCCF to medical care outside the KCCF and to court appearances, the inmate population capacity of the South Dormitories of the KCCF, and the security at the KCCF related to staffing.

2. Effective Date of Stipulation and Order

The terms of the proposed Stipulation and Order shall become effective 90 days from the date of entry of the Order except as otherwise provided herein.

3. Definitions

The parties agree that the following definitions shall apply to the terms used in this agreement and in the proposed Stipulation and Order.

King County Correctional Facility (KCCF): Means the facilities located on the 500 block of Fifth Avenue in Seattle, Washington. The KCCF, as defined, does not include the work-release facility on the twelfth floor of the King County Courthouse, the North Rehabilitation Facility, or any other satellite facility, except with respect to transportation issues in Sections 8 and 9.

Continuous: Means that a particular post is staffed at all times except in specified emergency situations. Continuously staffed posts are to be provided relief for routine activities such as breaks, meals, and use of the restroom. A continuously staffed post will not be provided relief during an emergency response by the officer assigned to that post. An officer assigned to a continuously assigned post may vacate the post without relief only to assist in another area of the facility during a code blue, code red, or code yellow emergency such as a fire, inmate fight, medical emergency or escape attempt.

Dedicated: Means that a post is staffed at all times except in extreme emergencies. Dedicated posts are to be provided relief for routine activities such as breaks, meals, and use of the restroom. An officer assigned to a dedicated post will not under normal circumstances respond to a code blue, code red, or code yellow emergency. An officer assigned to a dedicated post will leave that post without relief only upon order of the ranking correctional supervisor on duty when that supervisor has determined that the undesirability of vacating the post is outweighed by the extreme nature of the emergency situation.

Intermittent: Means that a post will not be staffed at all times and may be vacated without relief for routine absences such as staff meals, breaks, etc. "Intermittent" includes posts

commonly described as providing relief and escort duties in the KCCF; officers assigned to these posts may also assist in other operational activities designated by management including but not limited to security checks, inmate counts, inmate feeding, and emergency response.

4. Staffing

Defendants agree to implement and maintain the following staffing pattern in the KCCF:

Floors 1, 2 and 3:

Post	Shift 1st	Shift 2d	Shift 3d	Days/Week	Coverage
1st Floor Officer	1	1	1	7	Intermittent
Floor 2/3 Officer #1	1	1	1	7	Dedicated
Floor 2/3 Officer #2	1	1	0	7	Continuous
Floor 2/3 Officer #3	1	1	1	7	Intermittent

Fourth Floor:

Post	Shift 1st	Shift 2d	Shift 3d	Days/Week	Coverage
North Unit Officer	1	1	1	7	Dedicated
North Unit Activities Officer	1	1		7	Intermittent
West Unit Officer	1	1	1	7	Dedicated
West Unit Activities Officer	1	1		7	Intermittent
4th Floor Activities Officer			1	7	Intermittent

Tower:

Floor	Post Description	Shift 1st	Shift 2d	Shift 3d	Days/Week	Coverage
7	North Wing Officer	1	1	1	7	Dedicated
	East Wing Officer	1	1	1	7	Continuous*
	South Wing Officer	1	1	1	7	Dedicated
	Infirmary	1	1	1	7	Continuous*
	Activities Officer	2	2	1**	7	Intermittent
8	North Wing Officer	1	1	1	7	Continuous*
	East Wing Officer	1	1	1	7	Continuous*
	South Wing Officer	1	1	1	7	Dedicated
	Activities Officer	2	2	0	7	Intermittent
9	North Wing Officer	1	1	1	7	Continuous*
	East Wing Officer	1	1	1	7	Continuous*
	South Wing Officer	1	1	1	7	Dedicated
	Activities Officer	2	2	0	7	Intermittent
10	North Wing Officer	1	1	1	7	Continuous*
	East Wing Officer	1	1	1	7	Continuous*
	South Wing Officer	1	1	1	7	Dedicated
	Activities Officer	2	2	0	7	Intermittent
11	North Wing Officer	1	1	1	7	Continuous*
	East Wing Officer	1	1	1	7	Continuous*
	Activities Officer	2	2	0	7	Intermittent

*Coverage of these posts will be in accordance with the definition of "Continuous" posts on the first and second shifts and will revert to "Intermittent" coverage during the third shift.

**The incumbent of this position during the third shift shall be utilized as designated by the shift commander.

5. Control Positions

Floor and central control positions are not indicated in the Staffing Pattern illustrated in paragraph 4 above. Defendants agree to continue the operational functions currently performed by the floor and central control officers.

6. Reductions in Positions

The parties hereto agree that it is within the Defendants' discretion to amend the KCCF staffing plan from time to time as circumstances change. If Defendants should reduce the number of control positions or the positions indicated in the Staffing Pattern illustrated in paragraph 4 above, Defendants will notify Plaintiffs of the change, the reason for the change, and the effective date of the change. Any review of such a decision to reduce the number of positions shall be limited to whether the reduction in positions will prevent Defendants from providing the post coverage indicated for those

posts designated as "Dedicated" and "Continuous*", or in the case of control positions, whether the operational functions set forth in Section 5 are continued. Nothing herein shall be construed to prohibit Defendants from redeploying central and floor control posts provided the operational functions set forth in Section 5 are continued.

7. Intake, Transfer and Release (ITR)

The King County Auditor's Office conducted an audit of ITR functions in 1987. As part of the audit, the Auditor's Office developed a model to determine staffing levels based on workload demands within the ITR's current physical plant and operating plan. Defendants agree to conduct an Auditor's study of the ITR to be completed not later than March 1, 1990. Defendants agree to provide additional staffing resources within the ITR that may be identified through application of the model.

Defendants also agree to fill the currently unfilled 5-day booking position in ITR by December 15, 1989.

8. Staffing for Inmate Transportation to Court Appearances

A. Transportation to Courts of the State of Washington

Defendants agree to provide transportation for inmates who have scheduled court appearances in courts of the State of Washington, including Superior and District Courts, but not including municipal courts pursuant to the following terms. For purposes of the agreement "scheduled court appearances" shall be

defined as those court appearances for an inmate of which the Department of Adult Detention has been notified by 1:00 p.m. the day prior to the appearance or which occur on a regularly scheduled basis, such as omnibus, initial appearance, or arraignment calendars. "Scheduled court appearances" shall not include add-ons by judges or their staff, schedule changes without the above-specified notice, or unannounced departures from established court practice. Defendants will provide sufficient resources to transport inmates to such scheduled court appearances; however, Defendants' failure to transport an inmate to a scheduled court appearance due to delays, cancellations or unexpected emergencies beyond Defendants' control shall not constitute a violation of this agreement or of the proposed Stipulation and Order.

The above provisions shall in no way derogate from the authority, power and jurisdiction of judges of the courts of the State of Washington.

B. Transportation to Seattle Municipal Court

So long as King County and the City of Seattle have an agreement that King County will provide transportation to Seattle Municipal Court appearances, Defendants will transport inmates to all "scheduled court appearances", as defined above, in courtrooms located in the KCCF or Public Safety Building for daytime hearings, provided the City of Seattle provides notification to the Department of Adult Detention by 4:00 p.m.

the day prior to any scheduled court appearance in morning court or notification by 9:00 a.m. on the day of the scheduled court appearance in afternoon court.

Defendants will transport inmates to "scheduled court appearances" in Seattle Municipal Court night court held in courtrooms located in the KCCF provided the City of Seattle provides notification to the Department of Adult Detention by 1:00 p.m. on the scheduled day and so long as that King County has an agreement with the City of Seattle to provide such inmate transportation to night court. If King County and the City of Seattle renew or terminate any agreement for transportation of inmates to night court, King County will immediately notify Plaintiffs' counsel. King County will allow Plaintiffs' counsel an opportunity for participation and comment regarding currently pending and future negotiations between King County and the City of Seattle on any agreement for transportation of inmates to night court.

9. Staffing for Inmate Transportation for Medical Care

Defendants agree to provide transportation of inmates to outside medical care pursuant to the following terms. The determination of an inmate's medical condition and the necessity for outside care shall be made by jail medical staff. In cases of medical emergency, as determined by jail medical staff, the transport will receive the highest priority, including priority over court transports, non-emergency medical appointment

population in any South Wing exceeds 160, the Director of the Department of Adult Detention will inform Plaintiffs' counsel of the emergency and Defendants shall have no more than 3 days to reduce the population in the affected unit to 160 or fewer.

11. Design Modifications

The parties hereto agree that it is within the managerial discretion of Defendants to alter the design of particular areas of the KCCF. Defendants will install a wall to separate the North Wing from the West Wing of the Fourth Floor of the KCCF. Defendants also will install feeding slots in cell doors on the 11th floor of the KCCF so that all cell doors will have feeding slots in them.

12. Monitoring

A. Staffing

The parties anticipate that the provisions in Sections 4, 5 and 6 and the continued participation of amicus will be sufficient to monitor compliance.

B. Transportation

The parties will develop an agreed upon monitoring plan.

C. South Domitory Population

The required documentation pursuant to Section 10 of this agreement shall be made promptly available to Plaintiffs'

counsel upon request.

13. Review Process

The parties hereto agree that in the event of a disagreement over performance of this agreement, the parties shall meet and confer in order to resolve the disagreement. If the parties are unable to resolve the matter by meeting and conferring, the parties agree to submit the disagreement to a mediator chosen by mutual agreement of the parties and to mediate the issues raised by the parties prior to any motion by the plaintiffs to refer the matter to court.

14. No Admission of Wrongdoing

Nothing in this agreement shall be construed as an admission of any liability or wrongdoing by the Defendants or as evidencing any admission of the truth or correctness of any claim asserted or of any violation of law alleged by Plaintiffs, which claims are specifically denied.

15. Notices

Any necessary notice to Plaintiffs concerning the subject matter of this agreement shall be given to Plaintiffs' counsel Fred Diamondstone, Attorney at Law, 2007 Smith Tower, 506 2nd Avenue, Seattle, WA 98104 or at his current address at the time of such notice.

16. Withdrawal of Motion for Preliminary Injunction

Upon approval of this agreement and the proposed Stipulation and Order by the King County Executive, King County Council, and the Court, Plaintiffs will withdraw their Motion for Preliminary Injunction.

17. Issues Resolved

In consideration of this agreement and the proposed Stipulation and Order, except as set forth below Plaintiffs agree that all Plaintiffs' injunctive or declarative claims in this case concerning the transportation of inmates of the KCCF to medical care outside the KCCF and to court appearances, as well as all issues concerning the security of inmates and staff of the KCCF related to staffing at the KCCF are resolved and the Stipulation and Order shall be a final order with respect to those issues. The parties hereto further agree that the proposed Stipulation and Order shall be final with respect to claims that the inmate population capacity of the South Dormitories in compliance with Section 10 of this agreement violates constitutional standards. This agreement does not resolve issues raised in Plaintiffs' complaint regarding classification, work release eligibility, health care, and environmental health, including possible staffing issues related thereto.

The parties hereto acknowledge that the class of Plaintiff inmates as certified in this action have made no

claims for damages against Defendants. Except as expressly set forth in this agreement, nothing herein shall be deemed to waive the rights at law of any person. The claims for damages of named Plaintiffs Hammer, Boekel, Stevens, and Atkins as well as Plaintiffs' claims for costs, expenses and attorneys' fees are expressly reserved.

18. Approval of Terms

The terms of this agreement and of the proposed Stipulation and Order are subject to the express approval of the King County Council and the King County Executive prior to implementation of any of the terms contained herein. If by December 15, 1989, the King County Council and the King County Executive have not approved the terms contained herein, this agreement shall be void and Plaintiffs shall submit the report on KCCF prepared by Raymond Nelson to the Court and pursue their Motion for Preliminary Injunction against the Defendants.

Fred Diamondstone

Date: Nov. 1, 1989

ACLU-W
Cooperating Attorney for Plaintiffs

John Midgley

Date: 11/1/89

ACLU-W
Cooperating Attorney for Plaintiffs

Jared Karstetter

Date: 11/1/89

Attorney for Public Safety
Employees Union Local 519
Amicus Curiae

89-10-64 bw#42

Steven Schwalb

Steve Schwalb

Director, King County
Department of Adult Detention

Date: 11-1-89

Approved as to Form
Norm Maleng
King County Prosecuting Attorney

Mary F. Perry

for Robert I. Stier
Senior Deputy Prosecuting Attorney

Date: 11/1/89

89-10-64 bw#42

King County
Department Policies and Procedures

General Department
Policies & Procedures

Title	Document Code No.
Department Organization and Chain of Command DAD Index No.: 1000.1	ACO 8-1
Department/Issuing Agency: Department of Adult Detention	Effective Date: REV.2/90
Approved: Steve Schwalb	O.P.I.: Director's Office

PURPOSE:

To define the organization of the Department of Adult Detention and provide a policy regarding the chain of command and certain delegations of authority.

DISTRIBUTION:

Management Group, Supervisors, Staff Library, Floor Control Stations, Affected Union Locals, Division of Records and Elections, Ombudsman's Office, King County Personnel Office, and the Civil Division of the Prosecutor's Office.

REFERENCES:

1. RCW: None
2. WAC: None
3. Career Service Rules: None
4. Other County Regulations: None
5. Collective Bargaining Agreements: None
6. Correctional Standards: ACA 2-5006, 2.5012
7. DAD Policies: 1200.1
8. DAD Policies Superseded: SOP Chapter 1, General, .02, .03.

DEFINITIONS:

Not applicable.

POLICY:

1. It is the policy of the department that organizational relationships be defined in writing. This policy outlines these relationships both in narrative and chart format. This policy is expected to provide the basic framework within which the functions of our department are conducted. It is not intended to provide intimate detail or substitute for judgment and common sense.

2. Supervisors and managers at various levels are expected to provide more detailed guidance to their respective staff on specific operational problems.

3. The authority for the operation of the Department of Adult Detention is vested in the County Executive. This authority has been delegated, via County Charter, County Code and Executive policies, to the Department Director.

4. The Department is organized into sections. Sections include: Director's Office, Associate Directors' Office, Personnel, Administrative Services, Staff Training, Correctional Services, Inmate Management & Services, Court Services, West Wing/Work Release, and Intake/Transfer/Release. In addition, the Department has a direct interest and responsibility in inmate health care and facilities maintenance. Consequently, a direct working relation ship exists with the Health Department and Facilities Management. Each of the organizational relationships listed above are addressed in further detail below and in the attached organization charts.

5. Individual section descriptions.

   a. Director's Office - This section consists of the Director and the Director's Confidential Secretary. The Director provides overall direction for the Department. Sections reporting to the Director include the Associate Directors, Personnel, Administrative Services and Staff Training. See Attachment #1.

   b. Operations Division - This division is supervised by the Associate Director (Operations). The Associate Director provides the second level managerial direction for the Department within the Operations Division. Sections reporting to the Associate Director (Operations) include Correctional Services, Intake/Transfer/Release, and Food Service. In addition, the Associate Director (Operations) provides necessary operational coordination between DAD functions and the Facilities Management component. See Attachment #1.

   c. Services Division - This division is supervised by the Associate Director (Services). The Associate Director provides the second level managerial direction for the Department within the Programs Division. Sections reporting to the Associate Director (Services) include Court Services, Inmate Management & Services, and West Wing/Work Release. In addition, the Associate Director (Services) provides necessary operational coordination between DAD functions and the Jail Health Services component. See Attachment #1.

   d. Personnel - This section consists of the Personnel Officer, Personnel Technician and Office Technician. The Personnel Section provides the entire array of personnel management services and policy advice to management and the department employees. This includes recruitment, staffing, promotion, pay and benefits, recognition, performance evaluation, classification, labor relations, discipline, and retirement. See Attachment #2.

e. Administrative Services - This section consists of the Administrative Assistant, Program and Management Analysts, Accounting Supervisor, and Bookkeeping, Commissary, Payroll, Billing, and technical/clerical personnel. This section provides policy advice and services in areas such as policy analysis, legislative liaison, inmate population reporting and analysis, budget development and execution, management information systems, accounting, bookkeeping, cash receiving and handling, staff payroll, inmate trust funds, inmate commissary, prisoner billing, as well as general staff support to the Director's Office. See Attachment #3.

f. Staff Training - This section consists of the Training Manager, supported by instructors within and outside the Department. The Training Manager is responsible for providing policy advice and services in areas which include new employee selection and orientation, academy training, instructor training and development, peer sponsors/mentors, employee training and development, training evaluation, interagency training coordination. See Attachment #4.

g. Correctional Services - This section consists of the Captains, Sergeants, Corrections Officers, Jail Aides and clerical support. Staff in this section have the primary responsibility for policy advice and services related to institution security. This includes such areas as physical and perimeter security, contraband control, inmate supervision, use of force, and escort of inmates outside the facility. This section also provides for maintenance and supply functions and the laundry. See Attachment #5.

h. Inmate Management & Services - This section consists of the Inmate Management & Services Supervisor, Psychiatric Evaluation Specialists, Case Managers, Corrections Officers on special assignment, Program Coordinator, Recreation Specialist, Food Service Supervisor, Cook/Bakers, Cooks Helpers, and technical/clerical support personnel. This section provides policy advice and services in areas which include inmate classification and evaluation, involuntary commitment, inmate discipline, housing assignments, programs, volunteer services, education, religious services, recreation, and food service. In addition, this section serves as the primary department liaison with the North Rehabilitation Facility, operated by the Health Department. See Attachment #6.

i. Court Services - This section consists of the Court Services Administrator, Supervised Release Counselors, Pretrial Screeners and technical/clerical support personnel. This section provides policy advice and services regarding pretrial release of inmates, court scheduling and coordination, and confinement alternatives such as community work service. This section also serves as the department's primary liaison with

the various courts. In many instances, staff provide support to certain court calendars. See Attachment #7.

j. West Wing/Work Release - This section consists of the Unit Manager, Sergeants, Corrections Officers, Case Workers and technical/clerical personnel. Sergeants and Corrections Officers receive joint supervision, as illustrated in Attachments #5 and #8. This section provides policy advice and services regarding the implementation of unit management in the west wing of the facility, work release and electronic home detention.

Unit management is a concept whereby a semi-autonomous unit is formed in order to better manage the inmate population. The unit manager has overall responsibility for the operation of the unit. Under unit management, the respective supervisors and managers retain broad policy-making authority throughout the facility in their area of responsibility. The unit manager, on the other hand, has broad operational responsibility within the specific unit. For instance, the Associate Director (Operations) and Corrections Supervisors are responsible for the development and application of policies related to the security throughout the facility. The Inmate Management & Services Supervisor has similar authority regarding policies on inmate classification. The Food Service Supervisor does likewise for menu planning and dietary standards. The unit manager, on the other hand, has operational and implementation responsibility for all functions within the unit from security to sanitation, from programs to services. See Attachment #8.

k. Intake/Transfer/Release (ITR) - This section consists of the ITR Manager, Sergeants, Corrections Officers, Jail Aides, Receptionists, I.D. Technicians, Records Technician, and Mail Clerk. The Sergeants and Corrections Officers receive dual supervision, as indicated in Attachments #5 and #9. This section is responsible for the booking and release of inmates, maintenance of inmate records, legal document processing, inmate personal property, inmate identification, inmate mail, bail receipts, processing of institution visitors and responding to personal and telephonic public information inquiries. The principles outlined for dual supervision and unit management above are generally applicable in this section as well. See Attachment #9.

l. Jail Health Services (JHS) - a section of the Seattle-King County Department of Public Health, consists of the Health Administrator, Supervisory Nurses, Physicians, Nurse Practitioners, Dentists, Psychiatrists, Pharmacists, Registered and Practical Nurses, and technical/clerical personnel. JHS provides health care under contract with the Department of Adult Detention at the main facility for main jail inmates and

those at NRF. The JHS provides primary medical, dental and psychiatric care and basic emergency care on the residential floors, in ITR, in a medical/dental clinic, in a 26-bed infirmary and in a special psychiatric unit. Additional health services are provided at Harborview Medical Center, Group Health (for members) and University Hospital (obstetrics). Direct psychiatric care is also provided by psychiatric evaluation specialists who are DAD employees. See Attachment #11.

m. Facilities Management - This section consists of the Facility Plant Manager and the trades staff who provide construction and maintenance services to the Department. Trades represented include carpentry, electrical, electronics, plumbing, painting, utilities engineers, as well as janitorial staff. Services are coordinated by the Maintenance & Supply Sergeant in order to establish work priorities and coordinate security concerns. See Attachment #12.

PROCEDURES:

1. Each section manager is responsible for the management of his/her respective section. This includes responsibility for certain fiscal and personnel matters affecting the section.

2. Each section manager is responsible for developing policies and procedures, as applicable, for subjects within the section's responsibility. Overlapping policies shall be coordinated with affected sections.

3. The respective managers may issue internal memos and directives and delegate their authority within their section, provided these issuances do not conflict with established policy and procedure.

4. Each manager has the primary responsibility for the training and development of his/her respective staff. These efforts should be coordinated with the Personnel Officer and/or Training Manager as necessary.

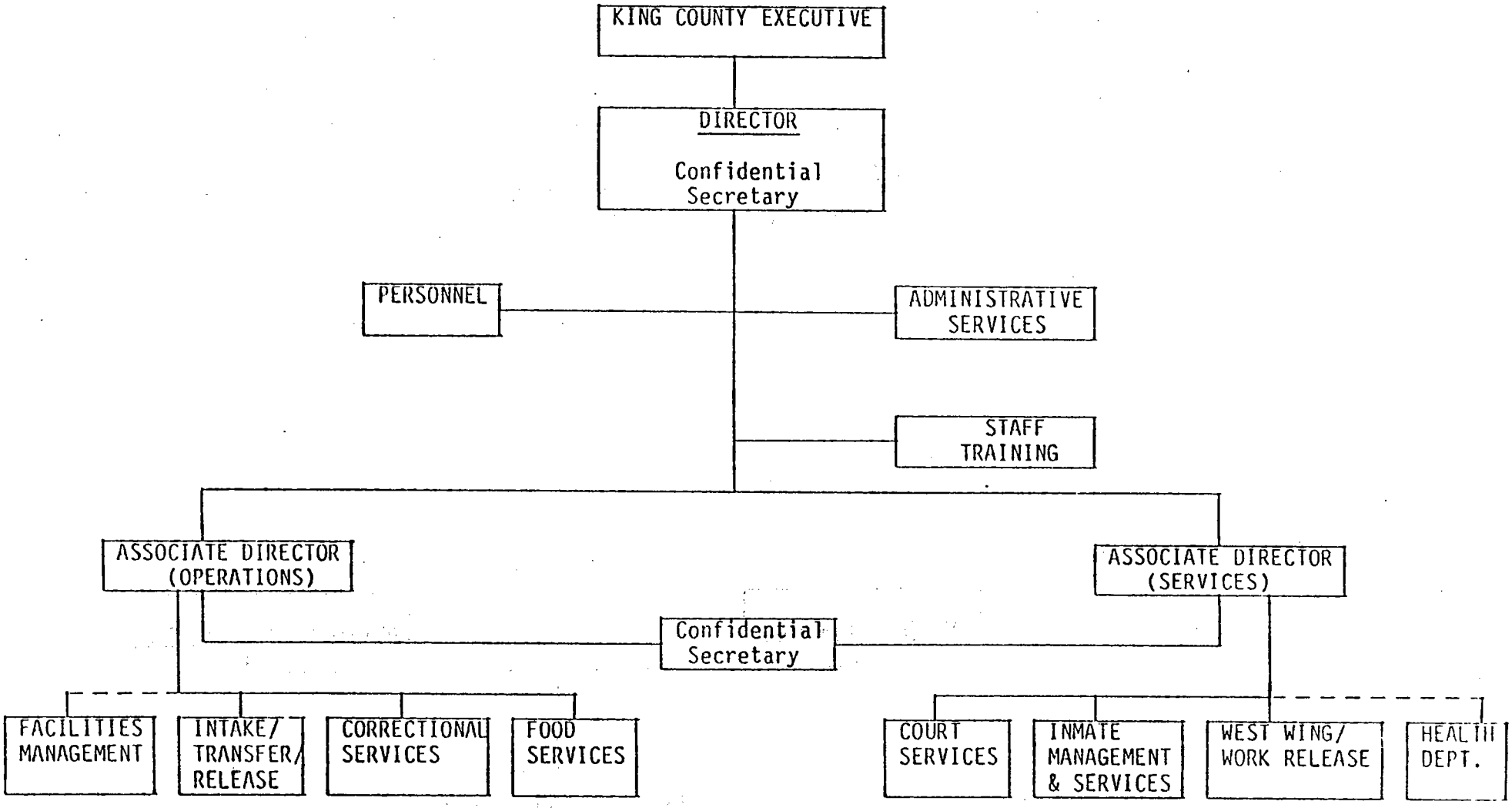
APPENDICES:

Organization Charts, Attachments 1-12.

SS:jkm
2/07/90
t:cocl/2/3

DEPARTMENT OF DETENTION
ORGANIZ CHART

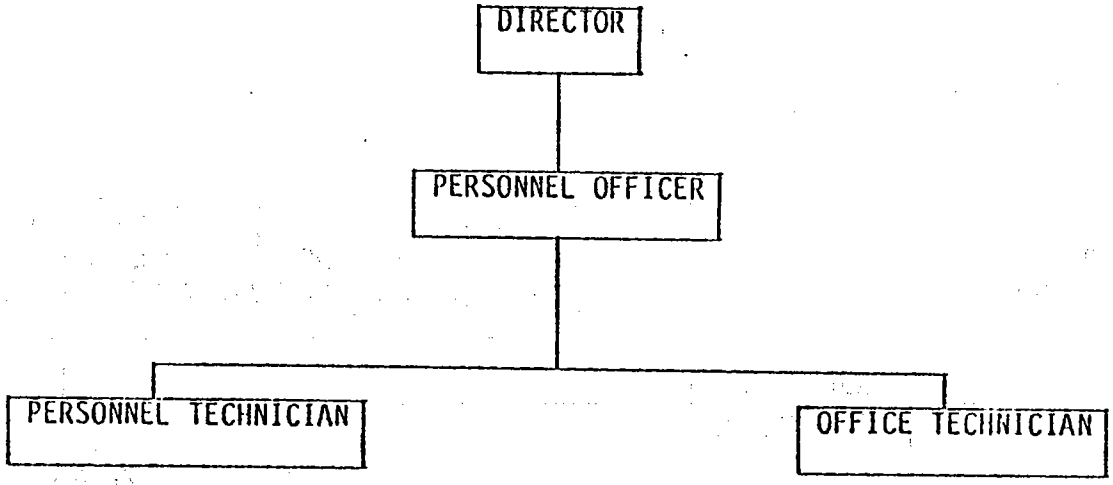
ATTACHMENT



Certified Correct: Steve Salwell
Director

t:orgl
2/6/89

PERSONNEL



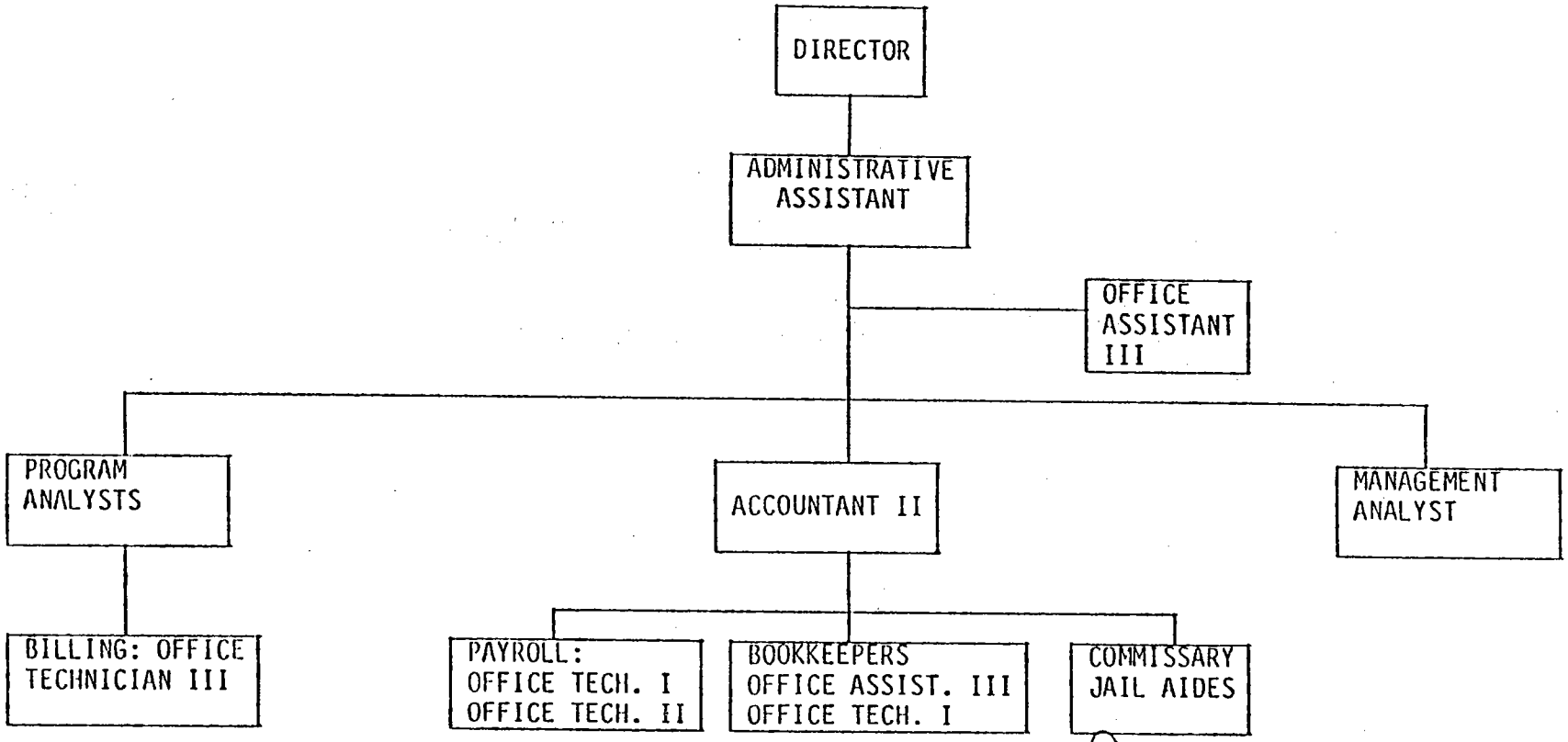
Certified Correct: R. Anita Eakers
PERSONNEL OFFICER

t:org2
1/10/89

DEPARTMENT OF ADULT DETENTION

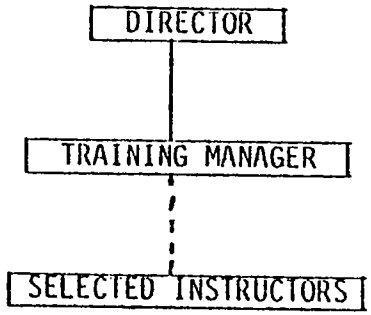
ATTACHMENT #3

ADMINISTRATIVE SERVICES



Certified Correct: _____
ADMINISTRATIVE ASSISTANT

t:org3
2/22/89

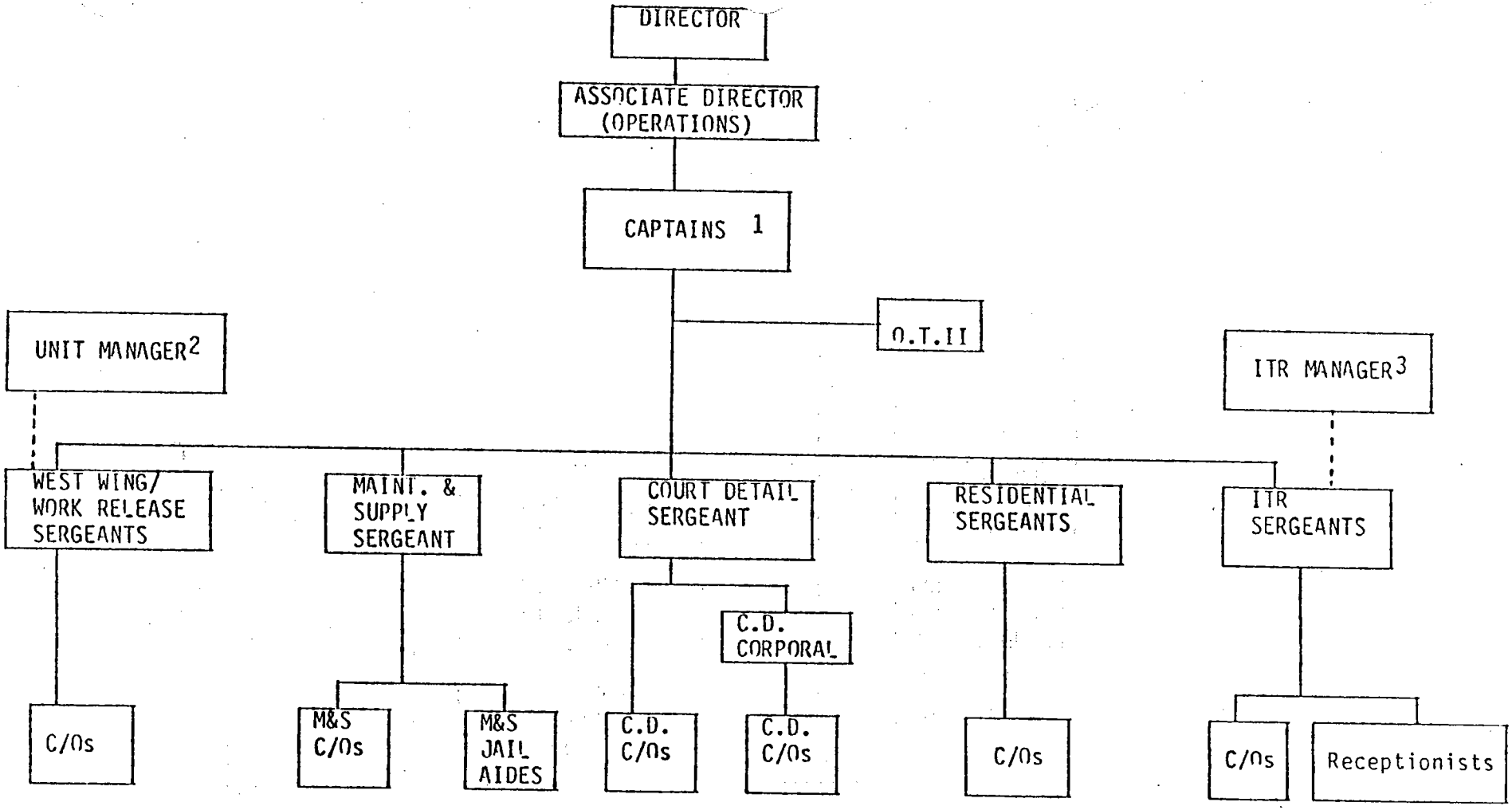


Certified Correct: James D. Allen
TRAINING MANAGER

t:org4
1/10/89

DEPARTMENT OF ADULT DETENTION
CORRECTIONAL SERVICES

ATTACHMENT #5



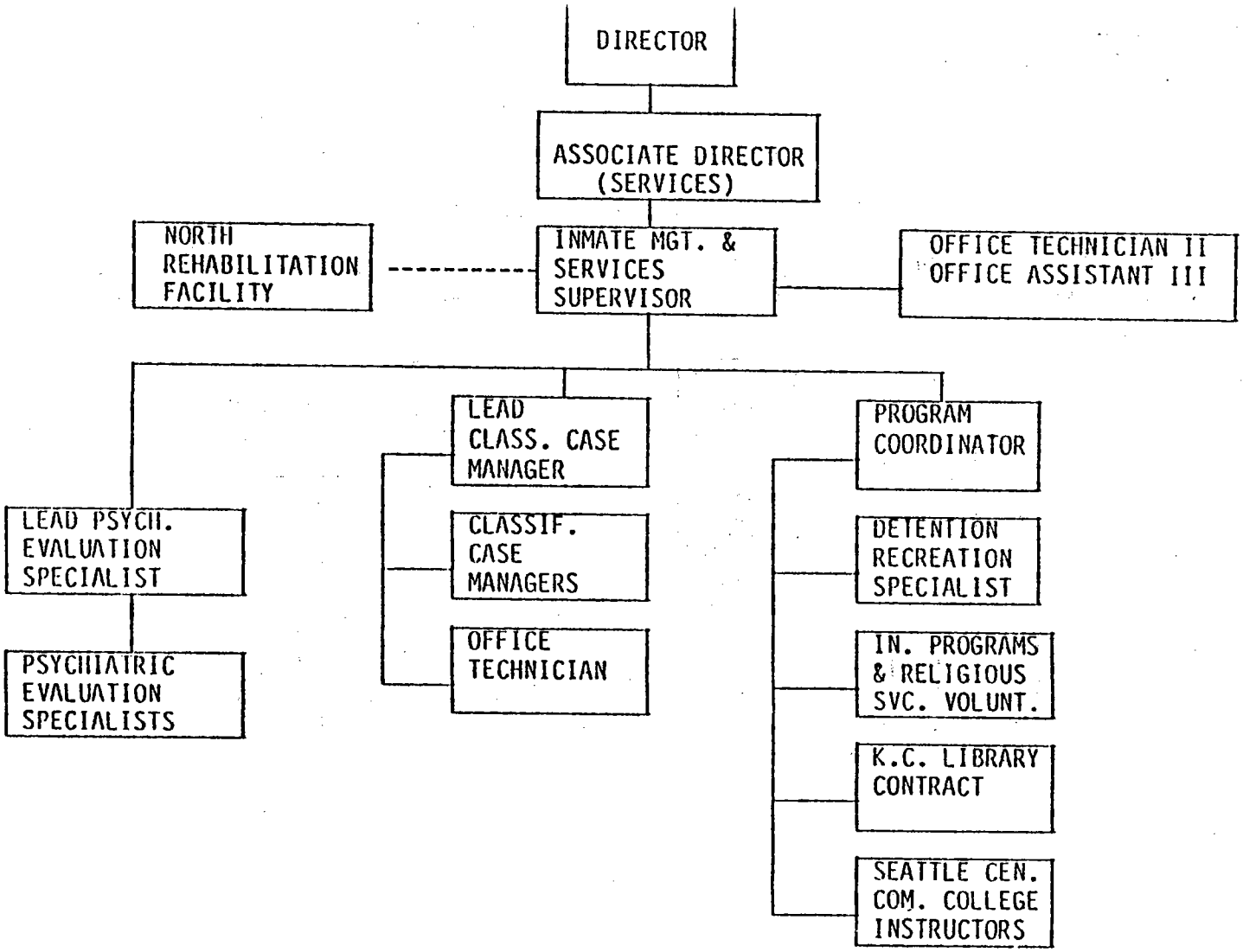
1 Captains serve as shift commanders, providing the ranking administrative supervision to their shift. In the absence of the Director and Associate Director, Captains are in charge of the facility.

2 The dotted line denotes a dual line of supervision provided. See Attachment #8.

3 The dotted line denotes a dual line of supervision provided. See Attachment #9.

t:org5
Rev.2/7/90

Certified Correct: _____
Associate Director (Operations)



Certified Correct: Bob DeNa

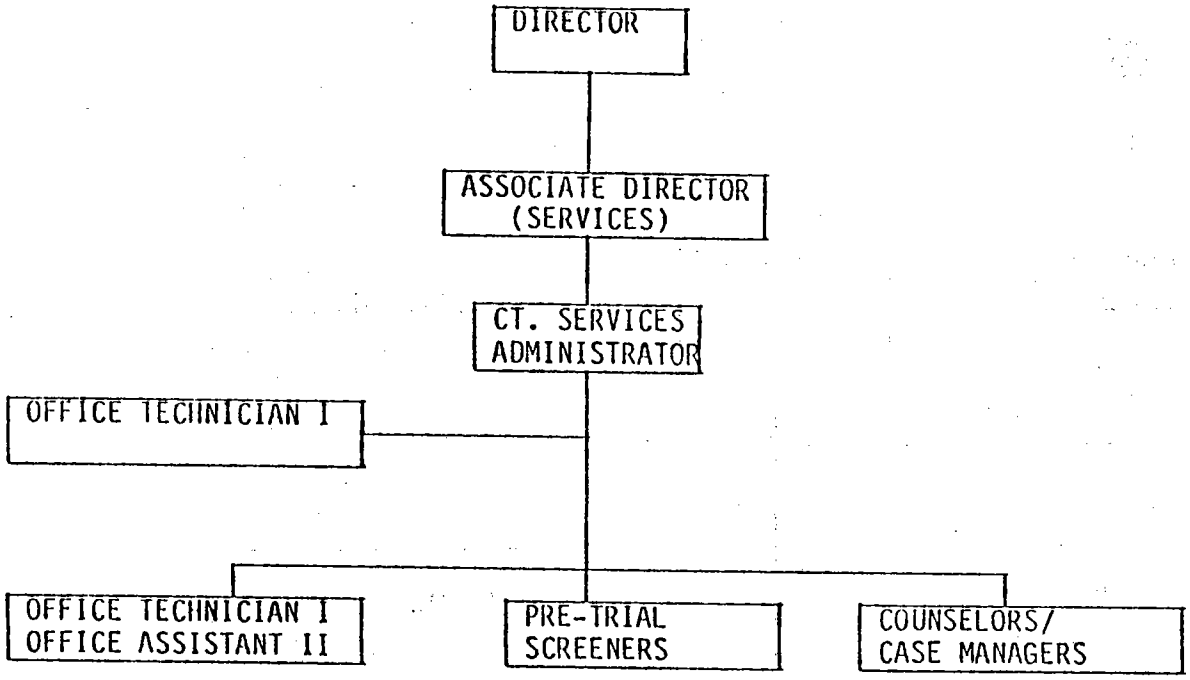
Inmate Management & Services Supervisor

t:org6
2/6/89

DEPARTMENT OF ADULT DETE

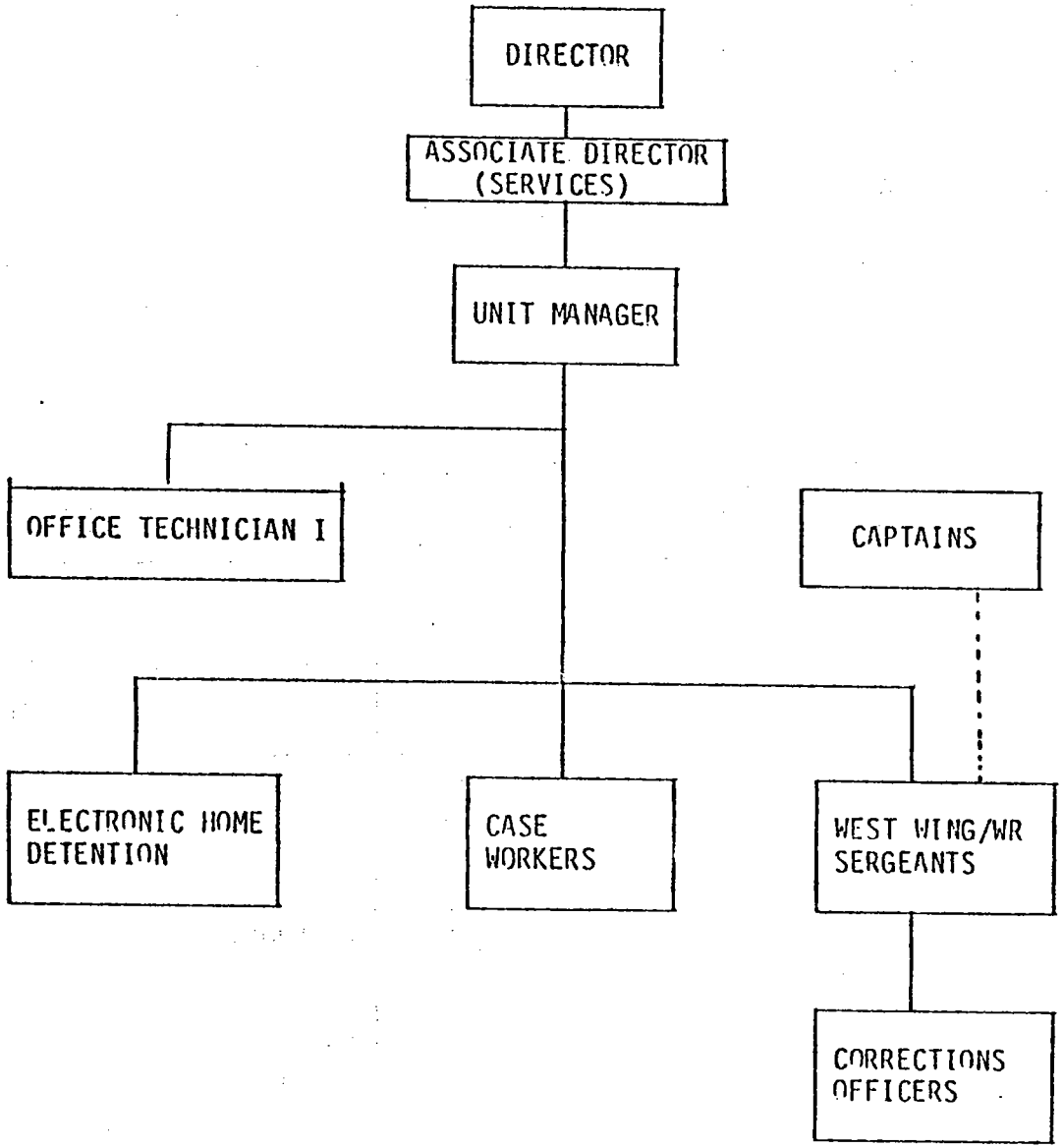
ATTACHMENT #7

COURT SERVICES



Certified Correct: _____
Court Services Administrator

t:org7
2/6/89



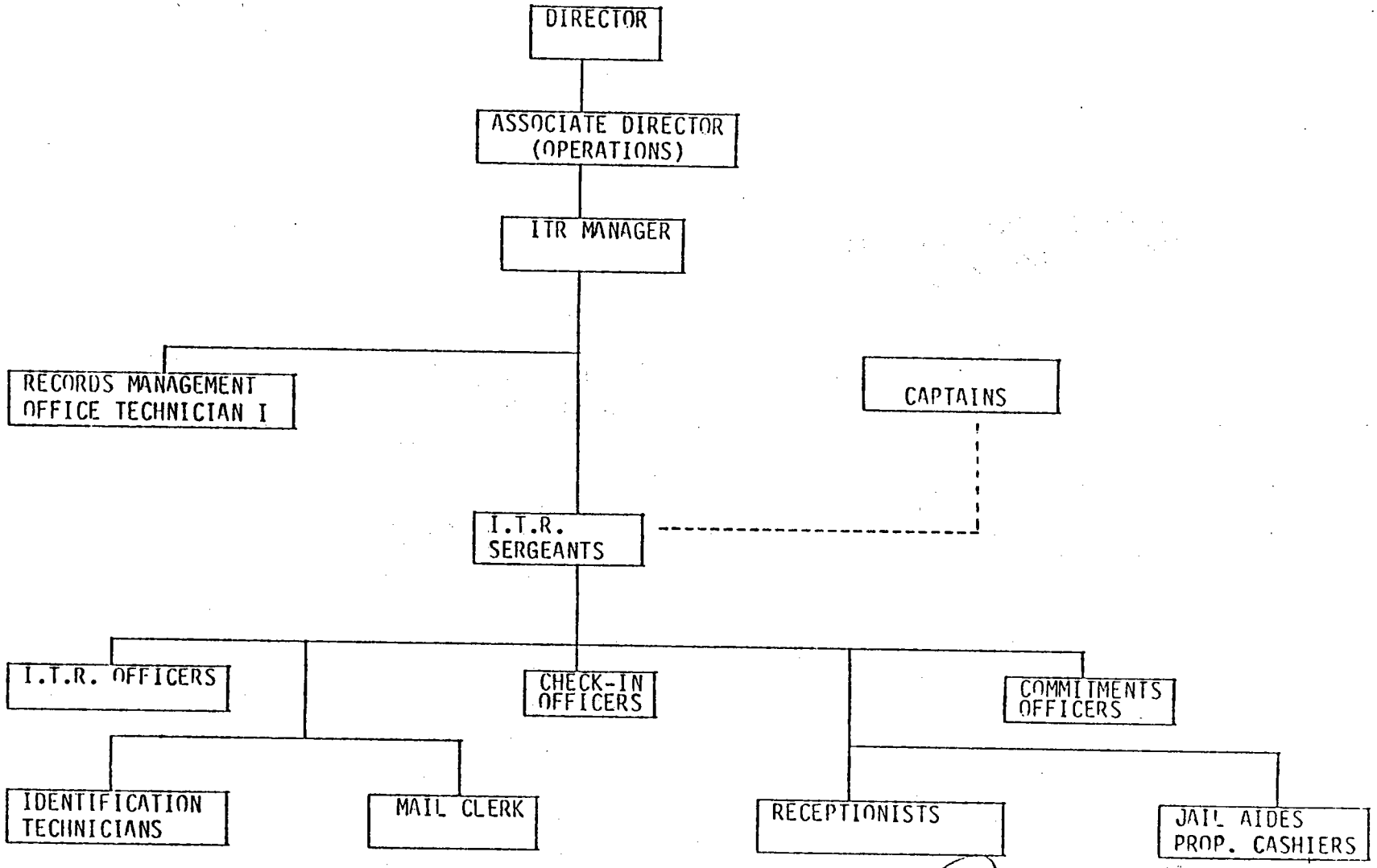
t:org8
Rev.2/7/90

Certified Correct: _____
West Wing Manager

DEPARTMENT OF DETENTION

ATTACHMENT #9

INTAKE/TRANSFER/RELEASE

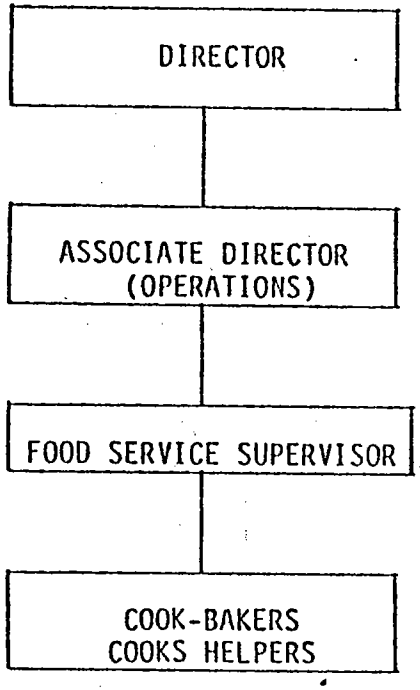


Certified Correct: Annette M. Peterson
ITR MANAGER

t:org9
Rev.2/7/90

FOOD SERVICES

ATTACHMENT #10

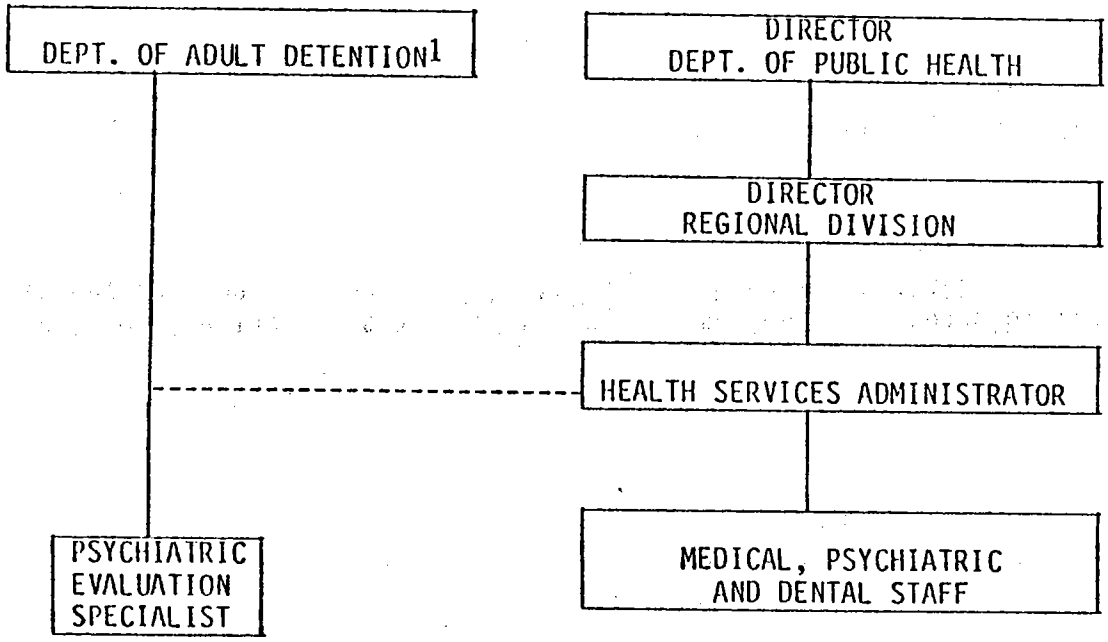


T:org10
2/6/89

Certified Correct: _____
Food Services Supervisor

INMATE HEALTH SERVICES

ATTACHMENT #11



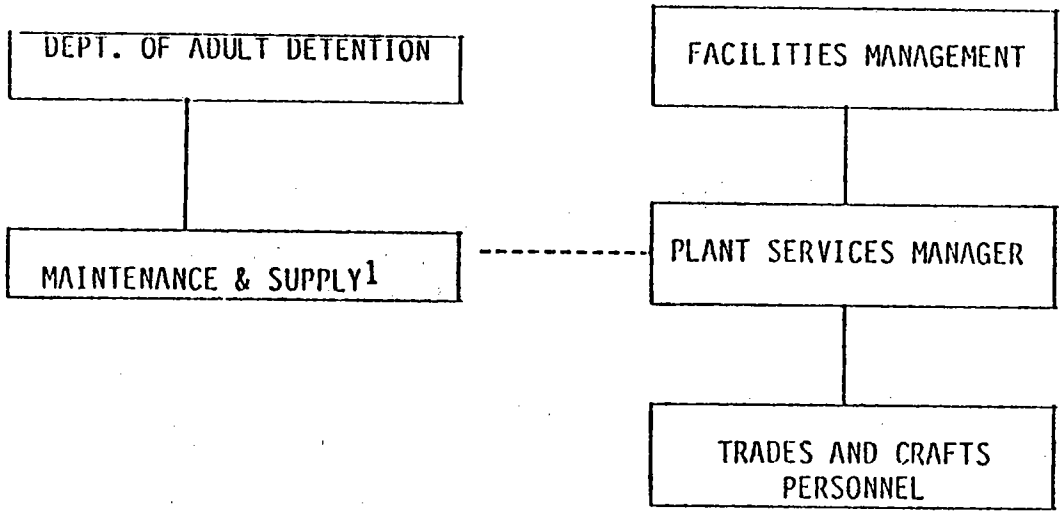
1 The dotted line indicates a general administrative responsibility for inmate health and welfare. This includes inmate management and security responsibilities for the infirmary, and psychiatric housing and clinic areas. The actual provision of professional medical, psychiatric and dental care is the responsibility of the Health Department.

Certified Correct: _____
Health Services Administrator

t:orgll
2/6/89

FACILITIES MANAGEMENT

ATTACHMENT #12



1 The dotted line indicates a coordinating and scheduling responsibility. Direct and technical supervision of trades personnel is provided by Facilities Management staff.

Certified Correct: _____
Plant Manager

t:orgl2
2/6/89

APPENDIX 11

Table 1

KING COUNTY POPULATION, JAIL ADP, AND INCARCERATION RATES

	King County Population	ADP	Actual IR/10,000	Growth in IR
1975	1,155,300	534	4.6222	
1976	1,155,900	595	5.1475	.5253
1977	1,167,500	664	5.6874	.5399
1978	1,191,100	707	5.9357	.2483
1979	1,228,300	786	6.3991	.4634
1980	1,269,749	897	7.0644	.6653
1981	1,309,806	966	7.4262	.3618
1982	1,311,397	1,047	7.9839	.5577
1983	1,315,797	1,070	8.1320	.1481
1984	1,326,598	1,075	8.1034	(.0286)
1985	1,346,405	1,191	8.8458	.7424
1986	1,361,695	1,364	10.0169	1.1711
1987	1,384,597	1,479	10.6818	.6649
1988	1,413,899	1,663	11.7618	1.0800
1989	1,446,800	1,864	12.8836	1.1218

APPENDIX 12

King County

May 27, 1987

The Honorable Tim Hill
King County Executive
400 King County Courthouse
Seattle, WA 98104

Dear Executive Hill:

In January 1987, you appointed a King County Jail Committee made up of 17 representatives of those criminal justice agencies whose collective actions ultimately impact the population of the King County Jail. Since our first meeting on January 14, 1987, the Committee has met a total of 20 times, including a recent all-day working session.

In approaching the task you assigned to us, the Committee has considered carefully and in detail each facet of the operation of the criminal justice system in King County which handles or processes individuals who find themselves incarcerated in the jail for whatever reason. This examination has lead the Committee to offer some 49 separate recommendations which bridge the entire gamut of agencies' responsibilities and discretion in this area.

We have no illusions that if all or even most of these recommendations were implemented there would be no jail population problem. In fact, as several of our recommendations make clear, the Committee strongly believes that on the basis of all available evidence known to us, and even if the bulk of our recommendations are adopted, essential public safety concerns will still require development of additional jail space in the county. Nonetheless, we also believe that if the bulk of our recommendations are adopted by those agencies with authority to act, there should be some modest reduction in short term population pressures on the jail sufficient to permit other longer range solutions to be pursued. Moreover, we believe that unless the public and their elected representatives are satisfied that the existing jail population is being managed as efficiently and prudently as essential public safety concerns reasonably permit, it would prove difficult to summon the will and to commit the resources necessary to provide for that fully viable local criminal justice system which any sensible public policy seeking to preserve and extend the quality of life for our citizens requires.

In the course of our work together, the Committee also came to the conclusion that all affected agencies and the public must realize that there is a real relationship between the county jail population and a host of public policy decisions which are made at every jurisdictional level virtually every day. We urge that

this relationship needs always to be considered during public debate on such policies. The harsh fact of life in this area is that if society determines that particular types of behavior are so threatening to public safety concerns as to warrant incarceration, then those same concerns must provide for sufficient jail space to house those individuals who engage in these threatening behaviors.

Beyond these observations, we believe our recommendations speak for themselves. While precision in assessing the likely impact of these recommendations would be desirable, we do not believe these matters lend themselves to any such precision. Nonetheless, as with the earlier 1981 report dealing with this subject, we have attempted to label our groupings of recommendations in terms of high, medium, or low impact, reflecting our best collective judgment as to ultimate jail population impact of these recommendations.

While the signators to this report were appointed by you or acted as the designee of your appointee, several other persons steadfastly have participated in the meetings of the Committee, in development of information needed by us, and the overall deliberations of our group. In this regard, we express our appreciation to Esther Bauman, Susan Carter, Don Ecklund, John Egan, George Ferris, Frank Fleetham, David Grayson, Rol Malan, George Mattson, Pete Musselwhite, Greg Nickels, Darrell Phillipson, Dick Smith, Bob Thomas and Doug Whalley.

Finally, we wish to thank Chuck Maduell of the Prosecutor's Office, Steve Thompson and Jill Milestone of the Department of Adult Detention, and Phil Chapman of the Executive's Office for their indispensable assistance in providing staff support to the work of the Committee.

The Committee members urge early and thoughtful consideration of our recommendations by all the affected agencies.

Sincerely,

Richard H. Holmquist

Richard H. Holmquist, Chief Civil Deputy
King County Prosecuting Attorney's Office
Chair, King County Jail Committee

Paul Barden, Member
King County Council

Merlyn M. Bell, Vice-Chair
Washington State Corrections Standards Board
Washington Council on Crime & Delinquency

Jerry Burk, Chief, Field Operations Division
King County Department of Public Safety

Nancy Campbell, Director
Division of Community Services
Washington State Department of Corrections

Ronald H. Clark, Chief Criminal Deputy
King County Prosecuting Attorney's Office

Ray J. Coleman, Acting Director
King County Department of Adult Detention

John M. Darrah, Judge
King County Superior Court

Charles J. Delaurenti, Judge
Renton District Court
President, King County District Court Judges Assoc.

Patrick S. Fitzsimons, Chief
Seattle Police Department

George Holifield, Presiding Judge
Seattle Municipal Court

Jared C. Karstetter, Business Representative
Public Safety Employees Local #519

Philip K. Killien, Judge
Seattle District Court

Maureen McLaughlin, Director
King County Department of Human Resources

Lockheed Reader, Director of Public Safety
City of Normandy Park

Norm Rice, Member
Seattle City Council

Alan Wallis, Chief
Renton Police Department

R. Joseph Kesley, Judge
Seattle District Court

RHH:jkm
Attachment
RJPR

RECOMMENDATIONS FOR JAIL POPULATION MANAGEMENT

ADOPTED BY THE 1987 KING COUNTY JAIL COMMITTEE

I. Pretrial Issues

A. Arrests Without Booking

These recommendations reduce the number of jail bookings of persons arrested for minor offenses. Because of the escalating number of total jail bookings in recent years (from 34,086 in 1984 to 43,038 in 1986), these recommendations are considered to be of medium impact.

1. Background. Police officers exercising discretion in the field play a dominant role in the jail admissions decision. The Seattle Police Department and a few other suburban law enforcement agencies have policies by which all arrests are screened by a supervisor before booking. In addition, law enforcement agencies make extensive use of citations in lieu of arrest. Nonetheless, many minor offenses do result in jail bookings.

1. Recommendation: That law enforcement agencies conduct training and/or develop written standards designed to guide officer discretion in deciding whether to book or cite and release.

Action Agencies: All King County Law Enforcement Agencies

2. Background. Post-arrest diversion of certain classes of repeat offenders, such as chronic, mentally ill persons booked on minor offenses, can help to conserve limited jail resources. A centralized system to provide earlier identification of such reoffenders could facilitate post-arrest diversion to appropriate treatment options in lieu of booking into jail.

2. Recommendation: That appropriate agencies study the possibility of developing a centralized system for identifying chronic drug and alcohol abusers and the mentally ill for diversion to appropriate treatment in lieu of booking into jail.

Action Agencies: King County Department of Human Resources
King County Department of Adult Detention

B. Booking, Release, and Bail Efficiencies

These recommendations introduce efficiences in the booking and release functions of the jail. Although they expedite the release of persons who are already certain to be released by pretrial services screeners, by the posting of bail, or by court order, their cumulative impact is considered to be medium.

3. Background. Some persons are booked with sufficient cash to pay large outstanding fines or bail. Others must wait until family or

friends can produce such sums. Since adoption of this recommendation by the Committee on March 11, 1987, the jail and several of the King County District Courts have implemented a system to allow the use of credit cards for the payment of fines and posting of bail.

3. Recommendation: That all appropriate elements of the criminal justice system implement a credit card bail system for the payment of fines and posting of bail.

Action Agencies: King County District Courts
Seattle Municipal Court
King County Department of Adult Detention

4-5. Background. The Arrestee Information Sheet, which is needed by pretrial screeners to assess a person's eligibility for pretrial release, is not readily available to pretrial screeners in the early stages of the booking process, thereby resulting in delays in processing persons for pretrial release. Moreover, under the present system, pretrial services staff do not interview arrestees to determine eligibility for release until after the booking process. Because of delays in the booking process, the release of those who are eligible for release by pretrial screeners is significantly delayed. The King County Auditor, in his preliminary findings and recommendations from a recent audit of the Intake/Transfer/Release area of the jail, concluded that it seems reasonable to conduct pretrial screening before booking arrivals into the jail.

4. Recommendation: That the County study the potential for operating pretrial release before booking rather than after booking.

Action Agencies: King County Department of Adult Detention
King County Budget Office
King County Council

5. Recommendation: That the Arrestee Information Sheet be made available to the appropriate pretrial staff as soon as possible and before the arrestee is booked into jail.

Action Agencies: King County Department of Adult Detention

6. Background. The current staffing level of the jail reception area routinely contributes to delays in processing and arranging for bail releases. Information that could assist family, friends, and attorneys in securing the early release of inmates is often available, but the lack of sufficient staff precludes the timely communication of such information. A recently completed audit of the jail reception area recommended in its preliminary findings that two additional staff are needed for the jail reception area.

6. Recommendation: That the staff level at the jail reception area be increased by two full-time equivalent positions.

Action Agencies: King County Department of Adult Detention
King County Budget Office
King County Council

7-8. Background. Under the present system, the defense attorney must file the pretrial release order with the clerk's office, obtain a certified copy, and take the copy to the jail, all of which delays release of the inmate from jail. Moreover, the courts report there are often long delays in releasing inmates from the jail once release is authorized.

7. Recommendation: That the Superior Court develop carbonized order forms to expedite certification and processing of pretrial release orders.

Action Agencies: King County Superior Court

8. Recommendation: That the County take such steps as are necessary to accomplish the release of all prisoners from the jail within 4 hours or sooner of a court order to that effect.

Action Agencies: King County Department of Adult Detention

C. Warrant Processing/Screening Efficiencies

These recommendations reduce the number of warrants issued by King County courts and expedite the processing and screening of such warrants once issued, thereby reducing both the number of persons booked into the jail on warrants and their length of stay after booking. Because of the number of warrant bookings, these recommendations are of medium impact.

9. Background. Warrants are sometimes issued simply because courts do not have a good address so as to be able to notify a defendant of a court date. The use of warrants office clerks to locate defendants would reduce the number of warrants for failure to appear.

9. Recommendation: That funding be provided for use of warrants office clerks for the purpose of reducing the number of "failure to appear" warrants issued because courts lack a current address.

Action Agencies: King County District Courts
King County Budget Office
King County Council

10. Background. Under an experimental program, the County has funded collection clerk positions in two district courts to assist the courts in collecting fines. The program has proven successful in reducing warrants for failure to pay fines and collecting fines, which to date have totaled more than the cost of the clerk positions.

10. Recommendation: That the County fund positions for collection clerks in all King County District Courts.

APPENDIX 13

SCOPE OF WORK
KING COUNTY CORRECTIONAL FACILITY
PLANNING PROCESS

KING COUNTY DEPARTMENT OF ADULT DETENTION

AUGUST 1, 1988

SCOPE OF WORK
KING COUNTY CORRECTIONAL FACILITY
PLANNING PROCESS

Purpose

The purpose of this memorandum is to outline a master planning process for additional bed capacity adequate to meet the county's needs over the next fifteen years, including an examination of alternatives to incarceration. The outline includes a scope of work and a proposed project planning schedule that calls for a formal master plan to be completed by year-end 1989.

Background

King County has experienced unprecedented population growth during the past decade. In 1980, the county's population was approximately 1,269,749; in 1987 that figure was estimated at 1,362,766, a growth of 7%. This growth is expected to increase in the future as well, reaching 1,701,000 by the year 2000. (Puget Sound Council of Government 1987 Study: Population Forecasts 1990-2000-2020.)

The increase in the number of prisoners in the King County Correctional Facility has grown at an even faster rate than the county's general population. The prisoner population numbered 897 ADP (Average Daily Population) in 1980 and increased to 1481 in 1987 - a 65% increase. The projected 1988 ADP is 1613, with the 1989 daily population estimated to be 1755 with peak days significantly exceeding this figure. All credible evidence available indicates that this rapid increase will continue in the coming years. The local community's interest in law and order as evidenced by DWI, domestic violence and SRA legislation, coupled with recent initiatives including more Seattle and King County police, efforts to reduce the backlog of drug cases in the state crime labs, and increased emphasis on enforcing drug laws - indicates that, if anything, the prisoner population may grow at an even faster rate than previously projected.

The growth trend of the prisoner population has created serious population management problems. The King County Correctional Facility opened in early 1986 and was designed to house 1084 prisoners. The facility has experienced severe crowding since its opening and has had actual counts of inmates housed on the floor ranging from 200-293 inmates per day.

The current crowding problem exists despite the fact that King County officials have placed significant emphasis on maximizing population reduction strategies since at least 1981. Over 50

recommendations for managing the correctional facility population have been implemented. In addition, the Department of Adult Detention has also introduced several programs designed to reduce the population or increase capacity.

The ability to accommodate increased prisoner populations within existing facilities is limited. The Department of Adult Detention prepared an interim population management plan in March, that provided a series of recommendations that focused on alternatives for addressing excess prisoner populations on an interim basis. Among other things, the plan called for initiating the home detention program, relocating work release to the courthouse, expanding capacity at the North Rehabilitative Facility (NRF) and remodelling the west wing of the correctional facility to house minimum security prisoners. All of these projects or proposals have either been initiated or included in the department's budget requests. Even with the adoption of these population management/ reduction measures, it is anticipated that the resulting correctional system capacity will only address the current crowding problem on an interim basis pending a longer term solution.

Further, following a review of King County's criminal justice system, the 1987 Executive Jail Committee concluded in its final report that:

> "We have no illusions that if all or even most of these recommendations were implemented there would be no jail population problem. In fact... even if the bulk of our recommendations are adopted, essential public safety concerns will still require development of additional jail space in the county."

Accordingly, the primary objective now of correctional policy and decision makers is to plan to provide adequate and acceptable space and/or programs for the current and projected prisoner population levels. Toward that end, it is the department's intent to initiate a formal master planning process during the third quarter of 1988 as the first step of a planning process aimed at fulfilling long-term capacity requirements.

Overview: Correctional Facility Planning Scope of Work

The planning process for developing additional capacity, outlined below, calls for a six phase process that culminates with the construction or acquisition of a new correctional facility and/or program capacity that will satisfactorily meet projected prisoner population levels. The six phases are as follows:

Phase I	Preliminary work plan
Phase II	King County review/analysis of consultants population study
Phase III	Program development
Phase IV	Facility development
Phase V	Site study/selection
Phase VI	Construction

The fundamental premises associated with this master planning process include assurances that: 1) the process has integrity (i.e., it is a data driven model and is not directed by foregone conclusions; 2) the process is a collaborative and joint decision making exercise employing key King County officials from the executive, legislative, and judicial branches of King County government; 3) any and all facility decisions are driven by program requirements, and operating program decisions should be driven by the number and characteristics of the projected prisoner populations to be served; and 4) a "life cycle costing" approach is utilized throughout the planning, design and construction phases of the project. The purpose of using this approach is that it provides an objective approach to identifying the best alternative as it provides a comparison of the maximum value of alternatives and also projects a budget for the facility over a specified life.

The following information briefly highlights and describes the general objectives of each phase of the planning process. Essentially this document is a "plan to plan", with the master plan to be completed under the auspices of the project coordinator. It is anticipated that the coordinator will be hired in September.

Phase I: Preliminary Work Plan

In preparation for the development of a formal master plan for a new correctional facility, the Department of Adult Detention has prepared a work plan that is intended to assure that all preliminary steps necessary to begin this project are completed by year end 1988. Following is a summary of the major issues or decision points associated with this project that DAD plans to address or complete within the next five and one-half months.

1. Develop RFP/job description for the project coordinator position.

2. Develop scope of work for the population studies: Identify population analysis/forecast report objectives and list the data elements and formats required to meet the objectives, i.e., all population data that would contribute to final decisions associated with facility program operations, design and construction. (See Addendum A)

3. Develop an RFP for a population analysis/forecast consultant: In concert with the Office of Financial Management and council staff, develop and submit RFP for a consultant to forecast prisoner populations for a minimum of 15 years and develop profiles of prisoner status groups and project long term growth of each.

4. Select population forecast consultant: Upon review of bids and based on established selection criteria, negotiate and execute a contract for services to be performed as noted in # 2.

5. Select project coordinator: Upon review of bids and based on established selection criteria, negotiate and execute a contract for services to be performed in # 1.

6. Establish oversight committee: Appoint a correctional facility project oversight committee for the purpose of obtaining specific decisons on program and facility development. It is proposed that the oversight committee include the following county officials:

   Executive's office representative-DAD Director, Chair
   County Council Representative
   Office of Financial Management - Director/Designee
   Correctional Facility Project Coordinator (Staff)

   The oversight committee may also call upon the expertise and services of other officials and programs as is necessary including: Facilities Management; Parks, Planning, and

Resources, (Building and Land Development Division, Planning and Community Development Division); and the Prosecuting Attorney's Office, etc. It is proposed that the committee's membership be restricted to four members so that meetings can be called and decisions made in the most expeditious manner possible. The oversight committee will submit recommendations to the Executive on all key decisions, which with Executive endorsement, will be forwarded to the council in motion form for approval and adoption. The committee will prepare motions, correspondence, and regular status reports for distribution to the Executive, Council members, and the judiciary.

7. National Institute of Corrections (NIC) review of DAD classification system: Initiate a National Institute of Corrections funded technical assistance review and analysis of the DAD prisoner classification system. The purpose of the review is to assure that the current process for determining the needs and requirements for prisoners and for assigning them to housing locations and programs according to their needs and existing resources, is efficient, valid, and responsive to the department's principle of housing inmates in the least restrictive manner possible.

8. Jail Committee Work Group (JCWG) report: Pursuant to the "Partnership Program" enacted by RCW 72.09.300, the JCWG, acting as a Community Corrections Board, will develop a report on the "King County correctional system philosophy" that states the county's long range correctional philosophy and specifies how the Department of Adult Detention supports the community's corrections mission. Examples of principles or premises of the community's correction philosophy might include: 1) all prisoners should be housed in the least restrictive manner possible that is also safe, secure, humane, and cost effective; 2) conditions of confinement should not contribute to the punishment meted out by the courts; and 3) within the constraints of existing resources, inmates should be provided the maximum number of program opportunities for the purpose of promoting positive and lasting change.

In addition, efforts will be made to identify and/or define the "minor offender" profile and examine alternatives to incarceration for this and other sub-groups of the population that might be more appropriately housed in non-incarceration settings other than the present correctional facilities.

The examination of the population should be based in part on the statutory requirements, goals and objectives of the Department of Adult Detention. Assumptions should be made that will

contribute to estimates of "high" and "low" limits of change that might reasonably be expected to occur in requirements, goals and objectives.

The JCWG document essentially will formalize and define policies concerning the execution of the duties and responsibilities of each criminal justice agency, the nature of their relationships to one another, and their responsibility toward managing correctional resources.

Preliminary Work Plan Summary

As noted earlier, the primary objective of the work plan outlined above is to assure that preliminary analyses and guidelines for direction are established for the project coordinator, so that a comprehensive and practical master plan can be completed by year end 1989. The success of the new correctional facility planning/ construction process is dependent upon the selection of qualifed and experienced consultants and the appointment of individuals to the oversight committee who have sufficient authority to make decisions that accurately represent their department's position on program, facility and construction related issues.

Phase II: King County Review/Analysis of Consultant's Population Studies:

Phase II calls for DAD staff, council staff and OFM staff to examine the consultant's report and analysis of the current population and population projections. The staff will then forward their comments and recommendations to the oversight committee on the data, trends, and implications that should be utilized for the policy/decision making process associated with program and facility operations development. (See Addendum "A" questions). The oversight committee (or another group) will assist in the development of assumptions incorporated into the consultant's forecast.

Phase III: Program Development:

The program development phase of the planning process will be driven by the results of the population studies and decisions made by the oversight committee. The primary objectives of the program development phase are as follows:

- Match the projected prisoner population to available facilities and programs to determine what "deficit" will exist in existing facilities and programs.

- Determine what subgroups of the population might be better served in an alternative setting and/or program.

- Determine the method of prisoner supervision i.e., linear/ intermittent surveillance, remote surveillance or direct.

- Outline basic services and activities (i.e., determining what the daily activities will be and how they will be executed), assessing the availability of community resources for institutional programs and identifying potential programming options. (Operating plan)

- Determining the security needs of the projected population.

- Estimating the number of staff required by functional area. (Staffing plan for custody, supervisory, and support staff).

The program development phase concludes with an oversight committee report that details an operating and staffing plan for a new facility that is based upon the type of population it will house. Examples of themes to be considered in program development include:

- Facility must be able to accommodate a wide diversity of inmates in a safe, secure, and humane manner.

- Operating and staffing plans should provide for not only housing, but also the programs and services necessary for varied inmate populations to promote opportunites for self improvement, (work industries program, education, etc.)

- Facility and program utilize a staffing plan that minimizes long term operational costs. (Example: a new generation type facility which endorses a direct supervision model of inmate management in lieu of intermittent surveillance.)

- Facility will not be built "for the exception". Staff will be trained to manage incidents that may occur.

Phase IV: Facility Development:

This phase requires the project coordinator to coordinate the development of a facility that will adequately address the projected population, utilizing staffing and operating plans that have been approved by the Executive and County Council. (Following a motion introduced by the oversight committee.)

Decisions made within this phase include those associated with:

1. The Architecture Program: DAD and project coordinator submit a program that includes a square footage listing of functions, specifics related to functional relationships, descriptions of security systems, operations, and management requirements and staffing patterns desired.

2. Schematic Design: From the program, the architect prepares schematic designs, i.e., drawings and documents illustrating scale and relationship of project components. Also provides preliminary estimate of construction costs.

3. Design Development: The architect prepares documents defining the size and character of the project as to architectural, structural, mechanical and electrical systems, materials and security systems appropriate to the project. The construction cost is further defined.

4. Construction Documents: The architect prepares final drawings and specifications that detail all requirements for the construction of the project. When specifying special systems, such as security, the architect relies on technical data supplied by the county or manufacturers.

5. Preliminary Budget: Make decisions for all stages of facility development such as design, construction, purchase of equipment, facility activation and staffing.

6. Energy Useage and Cost: The project coordinator should coordinate an energy-consumption analysis of the proposed facility's heating, ventilating, and air-conditioning system (HVAC), lighting system, and all energy-consuming systems. The energy-consumption analysis of the operation of energy-consuming systems in the facility should include but not be limited to:

   - The comparison of two or more system alternatives;
   - The simulation of each system over the entire range of operation of the facility for a year's operating period.

7. Facility Activation Plan and Schedule: Develop an activation plan that includes policies and procedures, personnel selection timelines, a staff training plan; and plans for opening, shakedown and move-in phases. The activation plan should also include written scenarios (a sequencing of tasks for all facility functions) and post orders defining the tasks for each staffing post.

Examples of themes to be considered in facility design development include:

- Design should be flexible enough to respond to a number of missions. The facility should be able to accommodate changes in population types, security levels, and correctional programs;
- The preservation of a residential character;
- Sensitivity to site and natural surroundings;
- Fosters an atmosphere that facilitates positive and professional attitudes.
- Assures that support correctional facilities are sized to accommodate increased service demands that would come with future expansion, i.e., makes all future expansion potentials an integral part of the schematic design process.
- Assures that building movement plans (prisoners, visitor, etc.) are arranged so that possible building expansion can take place without causing disruption or conflict in these patterns.
- Reduces square footage requirements by maximizing use of space, i.e., use multi-purpose areas rather than separate religious, education, meeting and recreational areas.
- Minimizes future maintenance costs.
- Reduces vandalism.

The facility development phase will conclude with decisions on the most appropriate construction approach to be utilized as well as the most practical source for funding.

Construction Scenarios

Construction scenarios to be considered include the traditional concept, the design/build concept, fast-track concept, and the site adapt concept.

- The traditional approach calls for an architect to draw up plans and specifications, and the county to solicit bids and select the most appropriate bidder.
- The design/build approach calls for a contractor and a second architect to team up to design and construct the facility to meet the county's requirements following their selection based on a lump sum bid.

- The fast track approach is a procedure for acceleration of the building schedule by starting construction at the earliest possible moment, overlapping the design phase. Building phases are sequenced to complete construction of each stage in the order that the building(s) will be occupied.

- The site/adapt approach attempts to take advantage of another community's success in constructing new correctional facilities. Briefly this approach requires only that the county identify a facility already in operation that meets King County's requirements including facility operations, staffing plans, type of inmate supervision, prisoner status group served and size of facility. Once such a facility/program is located, the plans (and perhaps the contractor) are utilized for King County's project.

Funding Options:

The oversight committee, with assistance from OFM, Council and DAD staff, will review all funding options; perform analysis of each option's impact on the county's financial status; and make recommendations/decisions. Following are potential sources of funding for a new facility that merit consideration:

- Federal government
- State government
- Countywide voter-approved bond issue
- Lease/purchase

Phase V: Site Selection:

It is likely that site selection may be the most controversial issue associated with the new correctional facility project. Accordingly, the site selection process must be carefully developed and administered.

The proposed site selection process has at least ten steps as noted below:

1. Site selection criteria is developed by the Oversight Committee (adopted by motion);
2. A 5-7 member citizen's advisory committee (CAC) is appointed with a narrowly defined scope (adopted by motion);
3. The CAC holds public hearings on selection criteria;
4. Staff develop site alternatives;
5. Based on community input, CAC recommends top five candidates;
6. Oversight committee reviews;
7. The CAC holds public hearings to advise community of top five candidates, develops additional community input;
8. Oversight committee makes final site decision; recommendation to Executive and Council (adopted by motion);
9. Site selected;
10. Recommended site forwarded to King County Department of Building and Land Development for public hearings re: unclassified use permit; Title 21, King County Zoning Code (Code 21.44.02ob).

The site selection committee should be made up of a diverse and geographically representative group of citizens who have expertise and experience in one or more of the following:

- Public policy making
- Land use/community development
- Criminal justice

The committee will be staffed by DAD and chaired by a consultant or a member with experience in mediation and/or the community group decision making process.

Phase VI: Construction:

Facility construction commences and facility activation planning is completed. Personnel selection process begins. Project coordinator assumes role of "clerk of the works", and monitors construction to assure that design and contract specifications are adhered to and negotiates change orders. (See Phase VI, Addendum "C".)

Summary

The new King County Correctional Facility opened in early 1986 and immediately experienced a crowding problem. Incremental county-funded additions to capacity since that time have increased the rated capacity to 1463 beds. The year-to-date average daily population currently exceeds 1600 and is projected to increase to an ADP of 1755 by year end 1989. Coupled with the reality of annual prisoner population increases of approximately 7% and little promise of developing further significant population reduction strategies, King County must acknowledge the fact that the current correctional facility capacity will not adequately accommodate future population levels.

This paper has suggested that the planning process associated with the development of a master plan for a new correctional facility begin as soon as possible by: (Addendum "C")

1. Conducting a population analysis and forecast;
2. Selecting a project coordinator;
3. Appointing an oversight committee;
4. Appointing a citizen's advisory committee for site selection; and
5. Proceeding through the planning, design, operation and construction stages of the project utilizing the life cycle cost analysis model.

This process should result in an objective recommendation for the best long term alternative and assure that King County receives maximum value for its investment, both economically and from a sound and responsible correctional program perspective.

ws:sw

ADDENDUM "A"

Draft Scope of Work for Correctional Facility Population Analysis

Purpose:

The purpose of this addendum is to outline a general approach to the proposed population analysis and forecast studies called for in the Scope of Work For Planning a New Correctional Facility. A final outline will be developed by DAD, OFM, and council staff.

The Population Study

Scope: The scope of the study consists of two segments: a population analysis and a population forecast. It is anticipated that a consultant contracted study will include:

1. an analysis of population characteristics centrally related to new facility design, siting, and use decisions; and
2. a population forecast for a minimum of 15 years.

The consultant's analysis may be supplemented by information generated "in-house" to provide a fuller profile of population characteristics.

Population Analysis

Definition: A population analysis consists of information that describes the incarcerated population in terms of a number of personal, behavioral, legal, and offense characteristics. It is anticipated that at a minimum, the following characteristics will appear in a consultant contracted analysis: sex of inmates, legal status, number of admissions by status, length of stay by status, classification custody/security level, classification type of special or segregated housing, and area of arrest or court location. Other characteristics of the population related to overall facility planning may be pursued, to possibly include offense, type of release, age, etc.

Purpose/Relationship to Planning: In order to design or acquire new capacity, basic information is needed regarding not only the number of inmates to be housed, but the type of inmates for whom beds are needed. Basic construction/design questions will need to be answered as well as a plan for how to best utilize the new facility and existing capacities. Decisions based on sound data increase the chances that the decisions made will fulfill King County's and DAD's needs. Such an analysis can provide a basis

for making assumptions about the type of housing, physical plant, services, and level of supervision that is required to maintain prisoners in a safe, secure, and humane manner. This data may also initiate a process of formulating additional anti-crowding strategies and/or provide ideas for new alternatives to facility rennovation (courthouse, west wing).

Population Forecast

Definition: The proposed population forecast will attempt to project the total prisoner population for a minimum of 15 years by summing the cumulative impact of the projected growth of each prisoner population sub-group. It is anticipated the forecast will consist of a basic component of change forecast which will independently model pretrial and sentenced local populations and state prisoners. King County will provide assumptions to be incorporated into the forecast which are likely to reflect considerations such as the following:

1. Increased emphasis by prosecutors and/or law enforcement to target certain offenses such as drugs, vice or "street people" offenses, which had not previously been targeted, including estimates of changes in length of stay.

2. Changes in the local economy.

3. Changes in the demographics of King County.

4. Changes in law that could affect the prisoner population levels; for example, recriminalizing possession of small amounts of marijuana, adopting misdemeanor sentencing legislation, diversion of mentally ill offenders to another program, or adjusting standards for placement on electronic home detention.

Purpose/Relationship to Planning: Provides information necessary for decisions associated with the size, site, and nature of a new facility, as well as strategies for construction, (i.e., to build in stages for expansion purposes and at what time). Assumptions (and/or new non incarceration programs) can then be made to guide policy on funding options.

Contracted Analysis: Information to be collected and developed by the consultant includes:

- Custody/security level
- Description of current classification group
- Inmates with special housing needs
- Capacity analysis

- Legal status, length of stay, number of admissions, arrest and court data, sex of inmates.

Non-Contracted Analysis: Information to be developed by King County staff or NIC funded technical assistance and analysis includes:

- Development of computerized jail population data for the consultant's analysis and forecast.
- A review of the classification system by a NIC funded and DAD selected consultant. (Two studies: one by the Auditor and another by the NIC.)
- Profile and requirements (i.e., housing, services, level of supervision and physical plant requirements)
- Evaluate consultants classification/capacity analysis and make determination for type of housing and programs required.
- Fiscal analysis of costs associated with alternative space utilization options, i.e., costs of housing mentally ill or "minor offenders" in other facilities/programs.

Areas of Interest/Questions to be Addressed:

Areas of interest that King County can affect in terms of correctional facility population and correctional facility needs include:

- Expansion of pretrial release programs
- Timely and accurate classification of prisoners
- Timely functioning of court systems
- Sentencing alternatives

Questions associated with these four areas that may be answered following a population analysis and forecast include:

- What are the security risks of the existing population?
- Are security levels of current facilities appropriate for these prisoners?
- What proportion of the population could be safely released if release and service programs were improved?
- What proportion of the population of each facility (tower, NRF, Work Release) is comprised of unsentenced misdemeanants?
- What charges are levied against unsentenced misdemeanants?
- Given the security level of each facility/program, are appropriate housing/release decisions being made?
- Are there substantial portions of the sentenced population who have been convicted of nonviolent felonies and/or misdemeanors housed in the tower (e.g., a high cost maximum and medium security facility?)

- What proportion of the unsentenced misdemeanants are in custody beyond the booking day? (Why?)
- Why have they failed to qualify for release on own recognizance if unable to post bail? What are the barriers or characteristics of either the inmates or existing programs that have kept these people in custody?
- What is the length of stay distribution of the unsentenced felony population?
- What proportion of inmates is accorded pretrial release?
- What is the average length of pretrial stay? What is the average length of stay for each release option and for those who are held in custody until court disposition?
- Are there prisoners who fit pretrial release criteria and have no warrants and holds but who are still in custody?
- Are there prisoners charged with misdemeanors or traffic offenses in other jurisdictions who are still in custody? (Why?)
- Do parole holds account for the prisoners who otherwise meet pretrial release criteria yet remain in custody?
- Do local traffic warrants appear to be a significant reason that prisoners who meet pretrial release criteria are still in custody?
- What offenses seem to be growing at a faster rate than previously or compared to other crimes?

Other questions that the population consultants/county staff might elect to examine include:

- Is there a direct relationship between the prisoner population and criminal justice system volume? Has that relationship generally held over the last ten years?
- What relationship can be found between arrest volume, ADP, length of stay, and growth in general county population? Have these relationships held constant over the last ten years?
- Are there recent changes that are likely to affect these relationships? Are local political decisions or law enforcement emphases likely to adjust these trends in coming years? How?
- How can these trends be utilized in projecting future capacity?

<u>Projection/Forecast Assumption:</u> (Examples only)

Trend analysis should incorporate the following:

- Will the criminal justice system activity in the county grow at a rate faster than, equal to, or less than general county population?

- Will arrest rates for all types of offenses grow at comparable rates? Are rates of growth for arrests that generally result in detention likely to grow faster or more slowly than more minor offenses?
- Will projected shifts in the composition of the county population likely have major impact on the growth of criminal justice system volume and future detention population? If so, how?
- Can changes in legislative mandates that affect arrests and sentences be maintained in future years?

The questions and assumptions noted above are not intended to be exhaustive, but rather examples of issues to be addressed within the population analysis/forecast. A final scope of work for the consultant will be developed by DAD in concert with OFM and council staff.

NOTE: It is estimated that once a population consultant is selected, the data collection and analysis will require approximately nine months.

Addendum "B"

Draft Scope of Work
Citizen's Advisory Committee
Site Selection

The site selection and planning process entails the following steps:

- Defining site needs and objectives.
- Identifying potential sites.
- Gathering information and analyzing each site.
- Evaluating the sites and selecting one of them.
- Acquiring the selected site (if not already county owned).
- Preparing an environmental impact statement.
- Preparing a site master plan.

Site Criteria: (Examples of criteria and/or issues to be considered)

- Site should be centrally located.
- Site should be relatively level for ease of development.
- Site should be close to other appropriate county agencies/ programs.
- Site selection should also be based on: character of the neighborhood, zoning restrictions, "buildable area" (space for required building and outdoor activity space and service space, including allowances for future expansion), soil conditions, utilities, exposure and orientation of the site, and the ecology of the site.
- Acquisition issues include:
  1) Can the property be obtained through negotiation or condemnation?
  2) What are the costs to acquire, develop, and operate at the site (i.e., transport costs for inmates)?
  3) How much is required to acquire and develop the property?

The selection of a site is also affected by factors concerning its future use including:

- Anticipated future expansion.
- Potential requirements for other facilites (in addition to the correctional facility).
- Likelihood of removing facilites currently on the site.
- Potential for future reduction in operations or space needs of planned or existing facilities.

Addendum "C"

Scope of Work
King County Correctional Facility Master Planning Process

The following information highlights the decision points or milestones associated with the correctional facility master planning process and includes an estimate of the time required to complete each stage of the process. Please note that the "start-up" of one phase may commence within the timelines of other phases. The process is not necessarily linear in all cases. Estimates of the time to complete each phase are also noted.

Phase I: Preliminary Work Plan

Major Activities:

- Select consultants
- Establish oversight committee
- Conduct classification system review
- JCWG Report: Correction's Philosophy
- Gather and analyze corrections system data: population studies

Products:

- Correction's system philosophy
- Classification system report
- Population consultant's report

Sign Off:

- Executive
- Council

Phase II: Staff Analysis of Population Studies

Major Activities:

- Develop data for consultant use
- ID changes in county population
- ID changes in prisoner populations
- ID trends in arrests, length of stay, etc.
- ID offense characteristics, release mechanisms
- Assessment of prisoner criminal sophistication
- Assessment of special needs

- Assessment of pretrial release programs, relationship to increased populations (Have they kept pace?)
- Assessment of court processes relationship to volume increases (Have they kept pace?)
- Coordinate, present, recommend approval for each phase of consultant contract and each deliverable.

Products:

- Staff report on conclusions of consultants report
- Staff assessment of pretrial release programs/court processes relationship to increased populations.

Sign Off:

- Oversight Committee
- Executive
- Council

Phase III: Program Development

Major Activities:

- Project facility needs
- Outline program assumptions
- Develop preliminary program statement
- Evaluate existing facilities
- Explore facility options: Identify potential impact of alternative programs on facility requirements, operating costs and capital improvement cost-saving opportunities.

Products:

- Preliminary program
- Feasibility report

Sign Offs:

- Oversight Committee
- Executive
- Council

Phase IV: Facility Development

Major Activities:

- Conduct architectural programming
- Conduct functional programming

- Execute conceptual and schematic architectural design
- Develop engineering concepts/design
- Consider alternative bidding procedures (standard, construction manager, separate contracts fast track)
- Preliminary budget
- Energy useage analysis

Products:

- Facility program
- Architectural program
- Design development drawings
- Outline specifications
- Construction cost estimate
- ID construction scenario

Sign Off:

- Oversight Committee
- Executive
- Council

Phase V: Site Selection

Major Activities:

- Develop site requirements/selection criteria
- Appoint site Citizen's Advisory Committee (CAC)
- Identify available sites
- Evaluate available sites
- Public hearings
- Select and acquire site

Products:

- CAC recommendations: top five candidates
- Select site
- Acquire site

Sign Off:

- CAC
- Oversight Committee
- Executive
- Council

Phase VI: Construction

Major Activities:

- Complete plans (blueprints)
- Develop bidding documents
- Obtain building permits
- Secure funding
- Procure regulatory agency approvals
- Select bidder
- Negotiate contract for construction
- Administration of construction contract
- Compile punch list
- Secure warranties and guaranties
- Secure occupancy permit
- Hire and train personnel

Products:

- Written approvals
- Completed building

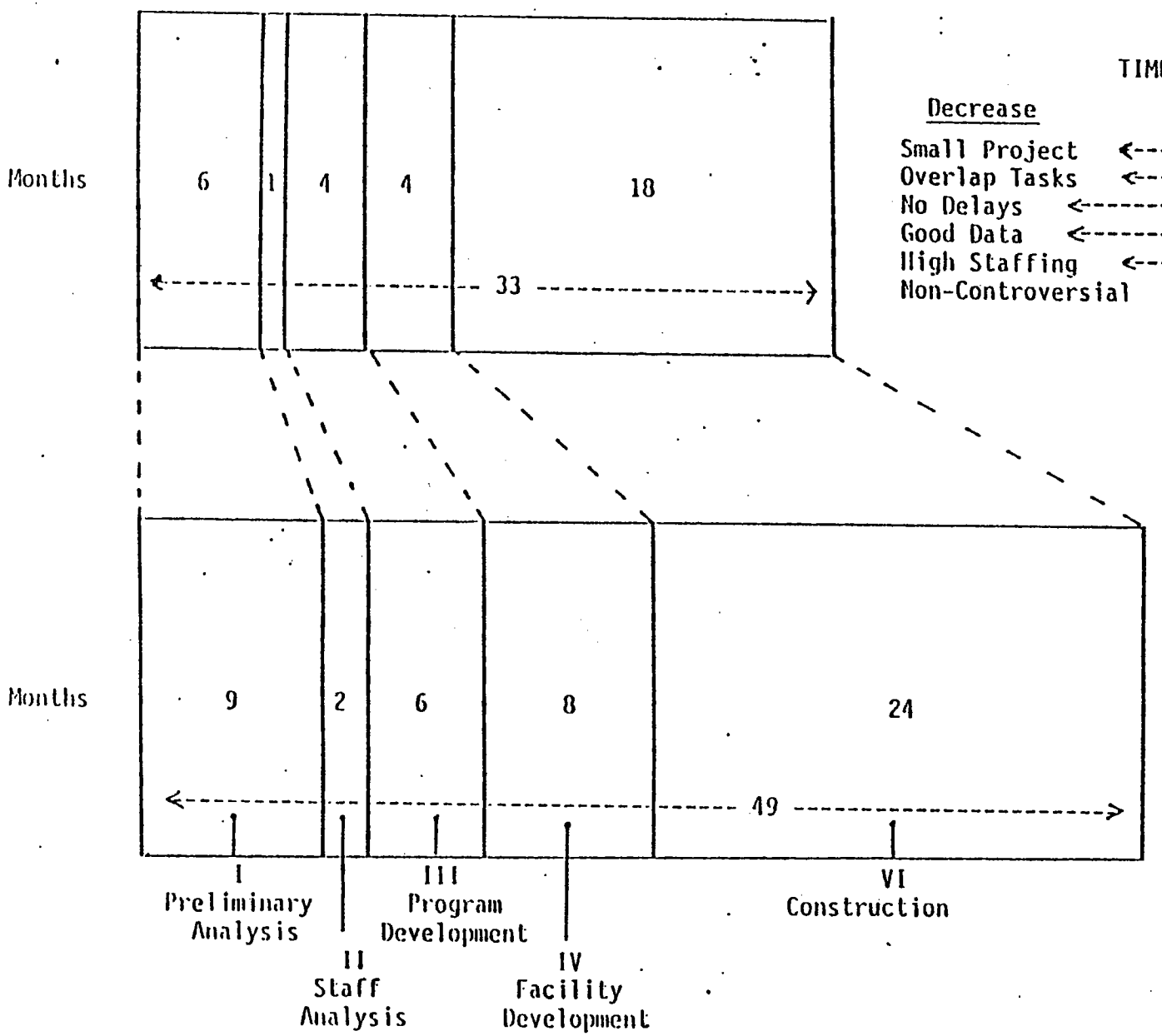
Sign Off:

- Fire Marshall
- County Building Department
- County Health Department
- Oversight Committee
- Executive
- Council
- Architect/Project Coordinator on change orders

ws:swa

PROJECT SCHEDULE

KING COUNTY CORRECTIONAL FACILITY MASTER PLANNING PROCESS



TIME VARIANCE FACTORS

Decrease		Increase
Small Project	<---------->	Large Project
Overlap Tasks	<---------->	Sequential Tasks
No Delays	<---------->	Delays
Good Data	<---------->	Poor or Missing Data
High Staffing	<---------->	Low Staffing
Non-Controversial	<---------->	Controversial

Addendum "D"

Master Planning Process Budget

The following information highlights the budget requirements associated with the master planning process for the period of fourth quarter 1988 to year end 1989.

Position/Item	Amount
Program Coordinator	$ 50,000
Population Studies	30,000
Travel (visits to other facilities)	25,000
Extra Help (clerical/technical assistance)	9,500
Total	$ 114,500

ws:swa

JAIL PROJECT COORDINATOR

JOB RECLASSIFICATION

A) Review of Position

1. Incumbent (Wendy Keller)
2. Department of Adult Detention
3. Detention Administration
4. N/A
5. 500 5th Ave. 5th Floor
   Seattle, Wa 98104

The Project Director has primary responsibility to manage all planning, design, siting, transition and construction phases of one jail project and the planning, siting and transition phases of a second jail construction project. The responsibilities associated with this position require extensive ongoing communication, negotiation and interaction with Elected Officials, Department Directors, Community Leaders, Contractors, Consultants and Corrections Management personnel.

The Project Director is the County's official representative and will supervises all project management and planning staff. The Project Director identifies, selects and directs the activities of Consultants, Architects, Transition Teams, work groups and contractors. The Project Director shall ensure contractor, consultant, architect and workgroup compliance with adopted masterplans, scopes of work and project schedules.

The Project Director will also make regular and comprehensive reports and presentations on the status of project(s). Status reports will identify current and potential problems for the project(s) and recommend alternative solutions.

The Project Director shall be responsible to provide documents, testimony and facilitate discovery motions for any litigation involving project planning or management.

The responsibilities and nature of this position require a flexible work schedule as numerous meetings and arrangements can be required at odd hours and days.

Principal duties for each phase of the jail construction projects are outlined in the following:

DRAFT

PROJECT PLANNING/SITING PHASES

1. Develop 1-5 year workplans and schedules which clearly depict all planning, design, siting, construction and environmental steps for each jail construction project.

2. Identify, select, train and manage the activities of all necessary planning work groups.

3. Establish preliminary, draft and final masterplan documents which estimate Capital Facility needs. Obtain all required review and approval(s) of planning documents.

4. Direct all in-house and consultant project planning data collection and feasibility analysis of construction alternatives. (Evaluate future uses of existing facilities. Develop a range of alternative construction options which meet projected growth and needs)

5. Identify, recommend and estimate the number type, amounts and duration of consultant, contractor, project management staffing levels and budgets for each phase of facility development.

6. Calculate construction and operating costs of a proposed range of facility construction options. Establish evaluation criteria for completing cost comparisons, analysis and ranking of facility options studied . Provide specific recommendations for construction with supporting documentation.

7. Structure definitive scopes of work for consultants and develop contract language in consultation with the Prosecuting Attorney's Office. Work closely with the Prosecuting Attorney's Office to ensure RFP preparation, prebid conferences, bid processes, bid evaluations and selection processes comply with all applicable laws, codes and ordinances. Lead contract/ consultant negotiations. Ensure consultants adherence to the adopted scopes, budgets and schedules.

8. Establish a mechanism to incorporate public involvement and direct the activities of a Citizens Site Advisory Committee throughout the SEPA Environmental Review Process used to evaluate land Use Permit applications. Develop jail siting criteria, identify, evaluate and recommend land sites. Ensure required approvals are obtained and steps are completed for phase of the siting process.

9. Make regular and periodic status reports and presentations on the project phases, schedules and budgets. Identify current and potential problems or conflicts. Recommend alternative solutions.

10. Maintain project planning documentation, including minutes of all meetings, and reporting responsibility to county agencies including the Department of Executive Administration, Office of Financial Management, Project Oversight Committee, Prosecuting Attorney, County Executive and the King County Council.

DRAFT

11. Responsible to oversee the development of a community relations program. To include responding to information requests, development of audio/visual materials which describe these planning and construction project and organization of community meetings. Requires frequent meetings with and presentations to civic leaders, community groups often under somewhat hostile conditions.

FACILITY DESIGN PHASE

1. Identify, select and direct the design planning workgroups and ensure incorporation of corrections operational and programming input into the design of the facilitie(s).

2. Review, comment and approve facility schematics, design development and construction documents.

3. Ensure appropriate and timely reviews by regulatory agencies.(first jail project only)

4. Supervise Construction Management Firm activities (first jail project only) to include:

a. Construction records to include documentation of meetings, conversations, contractor progress, conflicts and resolution agreements.

b. Review and approve design or program changes to construction contract upon approval of the appropriate county authority.

c. Ensure compliance to project/design/construction documents and schedules.

d. Monitor/process all construction expenditures and billing.

5. Supervise the development of fixed and moveable equipment lists and budgets for each facility.

6. Monitor Project Timetables.

CONSTRUCTION PHASE

1. Conduct/participate in pre-construction conference(s), and all contractor/consultant progress meetings.

2. Direct & monitor the activities of the construction management firm responsible for daily supervision construction and permitting activities.

3. Provide any required technical assistance to the Office of Capital Planning and Development. (This office has responsibility for supervising the activities of a construction management firm during the construction process of the second jail project.)

DRAFT

4. Review, approve or obtain approval for construction change orders.

5. Ensure the maintenance of construction project records, reports and documentation.

6. Monitor and complete regular and periodic budget and project status reports.

FACILITY TRANSITION PHASES (occurs simultaneously to construction phase)

1. Identify, select, train and direct work activities for all transition team members.

2. Develop specific job descriptions, identify specific tasks and timelines for all transition activities.

3. Develop and maintain budget for all transition processes.

4. Ensure ~~Complete~~ all necessary transition activities to include:

- development of operational scenarios
- identify, budget for, order, store and deliver all movable equipment
- develop policy and procedures for facility operations
- recruit, select, hire, train and schedule new facility staff
- develop annual operating budget(s) for new facilities
- develop and implement all specialized facility training
- refine all facility staffing patterns, develop specific post orders
- develop and implement inmate orientation and movement plan(s)
- develop and refine specific requirement for detention electronics and non structural security systems and equipment
- review construction progress from correction operations perspective

5. Plan for close out of transition and jail planning offices and staffs.

6. Ensure proper archiving and applicable destruction dates for project documents.

5/1/90
reclas90
wlk

APPENDIX 15

King County
Department of Adult Detention
500 Fifth Avenue
Seattle, Washington 98104

(206) 296-1269

October 20, 1989

TO: Steve Schwalb, Director

FR: Ray J. Coleman, Associate Director-Services

RE: Classification Report/Bob Levinson

On August 21-24, 1989, we received technical assistance from Bob Levinson through the NIC Jails Division to review our classification procedures and operations. In Mr. Levinson's report to the department, he makes several recommendations. On 10/10/89, Bob DeNeui, Bob Christensen and I met to discuss these recommendations.

The following are the results of our review of Mr. Levinson's recommendations:

RECOMMENDATION: The beds available for the unclassified population be separated into two sub-code categories short-term (expected to stay less than 72 hours) and long-term (expected to stay more than 72 hours), with each group having its own housing area(s).

Bob DeNeui has assigned Bob Erickson to work on the criteria that would distinguish between those who stay less and those who stay more than 72 hours after admittance. We will then analyze the numerical breakdowns in order determine if we can maximize bed usage should we choose this plan of action. We are concerned that this separation may crowd some areas more severely and leave beds vacant in other areas.

RECOMMENDATION: Classification teams be established by policy consisting of at minimum the correctional program specialist and the on-duty sergeant.

The sergeants' staffing does not allow for their participation in a team decision concept. The sergeant would be principally occupied in this endeavor should we choose this plan of action, not allowing for his other duties to be accomplished.

RECOMMENDATION: The policy be changed to require every regularly scheduled corrections officer on a five-day post on all three shifts in the inmate housing

areas to complete a short behavior check list on every inmate being seen for initial classification.

Again, we are insufficiently staffed in order to carry this initiative out. The officer would not have opportunity and time to carry out other assigned responsibilities should we implement this plan of action. (The number of inmates could be as high as 200 in some instances.)Therefore, we recommend that officers provide comments on those persons who have noteworthy behavior rather than all inmates under their supervision.

RECOMMENDATION: Policy be changed so that all inmate movements be a consequence of classification team action, except for emergency situations which require the signed approval by the highest level staff person on duty at the time the emergency is declared.

This is already department policy and procedure and needs to be emphasized to staff and supervisors.

RECOMMENDATION: The number of security categories be reduced to four (close, medium, minimum and community) and their definition clarified.

We are of the opinion that a fifth category should be maintained, that of maximum security. The plan of action is to clarify and state the definition of each of these classifications, print it and post it at each officer station for their reference as well as review it during annual training.

RECOMMENDATION: That the distinction between security and custody (supervision) be recognized by establishing four levels of supervision (4 hi) 3,2,1 (low) and that these be incorporated into the KCCF classification system.

Bob DeNeui will establish a working definition of the difference between security and custody. We will educate staff to these differences. We will maintain at least five classifications, rather than the four as recommended.

RECOMMENDATION: All Staff need to be informed regarding how the classification system functions.

After the above definitions have been established, we will train staff during annual training as to the distinct levels of classification of inmates.

RECOMMENDATION: The current table of organization be restructured with the intent of specifying lines of authority commensurate with areas of responsibility.

As you are aware, you have taken the lead in this area to restructure the department so that all lines of authority are responsible to DAD. While this effort is continuing, it will continue to require much work and emphasis in order to be accomplished.

RECOMMENDATION: The Director's task force, or unit management, be established to report on the feasibility of reorganizing the administration of KCCF along unit management lines. The multi-disciplinary group should also be tasked with

establishing appropriate staffing patterns for all personnel "treatment and security" for each unit.

We have already moved toward unit management. Unit management has been established in the West Wing of the facility where we house minimum security inmates. Classification officers have been assigned to each floor to work with officers on that floor, following the unit management concept. The element that is lacking is an actual assigned unit manager for each floor, in order to carry this concept out. However, I judge that our present configuration is a workable solution and conforms to the elements of unit management.

RECOMMENDATION: A multi-disciplinary MIS committee be established which will have the authority to set priorities for needed MIS programming and to ensure that the reports produced will have practical use in the day-to-day management of the facility. The committee's membership should include representation from both data processing and KCCF and include individuals at the line as well as the managerial levels.

Minor modifications to the classification system is being addressed at this time by classification staff and System Services. Given our present staffing, we do not judge that we have the luxury at this time to form a committee to follow through with the full intent of this recommendation. However, this recommendation would constitute a practical review of the classification computerized system regarding the MIS information available from that system during the upcoming year, after we have acquired additional classification staff.

RECOMMENDATION: That KCCF not ignore its own policy - established classification procedures to meet special contingencies, unless so ordered by the courts.

We concur with this recommendation.

While many of the recommendations were applicable, some were not in that we are not able to move forward given our present staffing and circumstance. A few recommendations were restatements of policy that need to be carried out more effectively but already existing. The recommendations found most useful have had action initiated and we will be following up on these recommendations. Bob DeNeui will be the lead person.

RJC:ch
r:10.13.9-10

cc: Bob Christensen
Bob DeNeui

Technical Assistance:

King County Correctional Facility

August 21-24, 1989
Seattle, Washington

This project was supported by a Technical Assistance Grant (89-J1321) awarded by the Jail Center of the National Institute of Corrections, United States Department of Justice. Points of view expressed in this report are those of the author and do not necessarily represent the official positions of the National Institute of Corrections or the United States Department of Justice.

U.S. Department of Justice

National Institute of Corrections

Jail Center

1790 30th Street, Suite 440
Boulder, Colorado 80301
(303) 939-8866

Telecommunications Device
For The Deaf (202) 724-3156

REPORT DISCLAIMER

RE: NIC T.A. 89-J1321

This technical assistance activity was funded by the NIC Jails Division. NIC is a federal agency which provides assistance to state and local correctional agencies in their efforts to improve their operations by making them more effective, humane and safe.

The consultant who provided the technical assistance did so on a contractual basis at the request of the King County Department of Adult Detention and through the coordination of NIC. The assistance and this report are intended to assist the King County Department of Adult Detention in addressing the issue(s) outlined in the original request.

The contents of this document reflect the views of Dr. Robert Levinson. The contents do not necessarily reflect official NIC views or policies.

INTRODUCTION

Mr. Steve Schwalb, Director of the Department of Adult Detention in Seattle, Washington requested Technical Assistance from the National Institute of Corrections, Jail Center concerning the King County Correctional Facility's current inmate classification procedures. Ms Virginia Hutchinson, Correctional Program Specialist at the Jail Center contacted Robert B. Levinson, Ph.D., a corrections consultant and part-time employee with the American Correctional Association, who agreed to provide the help being sought.

This report is the result of a three and one-half day on-site visit to the King County Correctional Facility (KCCF). Based on documents read prior to and during the visit, and a series of interviews and observations, the following report describes KCCF's present inmate classification process, and offers the consultant's findings and recommendations.

METHODOLOGY

In preparation for the on-site visit, Dr. Levinson read two documents forwarded by Mr. Robert DeNeui, Supervisor, Inmate Management and Services, who served as the facility's contact person throughout this technical assistance period:

- an NIC-supported Technical Assistance Report prepared by Robert A. Buchanan (March, 1984), which helped establish the facility's inmate classification process; and
- a 22-page document describing the clarification system's current procedures.

While on-site Dr. Levinson also read:

- the Department of Adult Detention's 1988 Annual Report,
- the final report (January 9, 1989) of an audit of KCCF's classification services conducted by the County Auditor's Office; and
- two documents provided by Mr. DeNeui describing the facility's classification staffing pattern and a description of the North Rehabilitation Facility (NRF); which is an off-site community-based institution that opened in May, 1981 and is used to house 16 DWI (Driving While Intoxicated) offenders and 220 COMMUNITY-security KCCF inmates.

Additional information concerning the KCCF classification system was gained from four major sources: (1) a tour of the facility, (2) interviews with facility staff, (3) observing classification activities, and (4) an analysis of data obtained from a survey.

(1) Tour -- KCCF is an eleven-story, relatively new facility (opened in 1986), located in downtown Seattle. A covered, overhead walkway connects it to the King County Courthouse where the former jail was located.

The original plan to tear down the old jail has been reconsidered in light of KCCF's current level of crowding. Refurbishing of the former jail is underway to provide needed additional bed-space. Further, there are plans for the construction of another jail facility and to find interim bed-space until it can be completed.

KCCF housing features bi-level construction in the more secure areas, and eight-to-sixteen-bed "dormitories" for inmates requiring less stringent controls.

(2) Interviews -- As depicted on the consultant's itinerary (Appendix A), a series of interviews were held with a number of KCCF staff members. The individuals included (listed in order) are:

Steve Schwalb, Director

Bob DeNeui, Supervisor, Inmate Management and Services

Bob Thomas, Analyst, Count Auditor's Office

Ray Coleman, Associate Director, Services

Wendy Keller, New Jail Facility Project Coordinator

Deanna Strom, Program Analyst

Bob Christensen, Associate Director, Operations

In addition, group sessions were held with both Jim McKeon, Lead Correctional Program Specialist (Classification) and ten members of his staff, and with eight members of the jail's Health Staff who have a direct chain-of-command relationship with the Director, Department of Public Health (see Table of Organization in Appendix B).

(3) Observation -- The consultant observed two case-managers, each of whom conducted two primary (initial) classification interviews. These were done in small, bare rooms, each of which had the door open while the interviews were in progress. Both of the case-managers entered each inmate's answers directly into the on-line information system used by the classification process.

It was clear that these two case-managers were experienced in this process. The interviews were conducted in a professional, question/ answer manner. Each session proceeded quickly and, in light of the need to process many people in a short time, it is understandable why they lasted no more than five-to-ten minutes, apiece.

(4) Survey -- Prior to arrival at the King County Correctional Facility, the consultant prepared a data collection survey for distribution to both correctional officer and case-management personnel (see Appendix C). Twenty-four forms were distributed to security staff -- ten, eight, and six (respectively) on shifts 1, 2 and 3; and 15 to classification personnel. Responses were received from eight correctional and seven case-management staff; a 38% return rate.

Two additional types of performance data were collected through the able work of Bob DeNeui and his administrative assistant, Charlene Shaw:

- A random selection of 25 recently admitted cases (from the end of July, backwards) was identified and case-management information gathered.
- A 10% random sample was chosen from the July (most recent) list of inmates who had incurred disciplinary reports, and their case-management data was analyzed.

During the entire site visit, the staff at the King County Correctional Facility were most cooperative. Their willingness to go out of their way to provide requested information and to offer candid comments contributed greatly to the completeness of this report.

OVERVIEW OF THE KCCF JAIL SYSTEM

The Department of Adult Detention provides detention services to the Superior and District Court and, through contract, to 24 cities and six governmental agencies. KCCF is the largest single correctional facility in the state of Washington and houses the state's third largest mental health population.

According to figures provided by Program Analyst Deanna Strom, the actual average daily population inside KCCF (May, 1989) was 1451 (see Table 1); the facility's designed capacity was 1100.

Table 1

Jail Classification Distribution

	Felons			Misdemeanants			Totals #			Totals %		
	M	F	Tot	M	F	Tot	M	F	Tot	M	F	Tot
Unclassified[a]	157	15	172	115	27	142	272	42	314	25%	30%	26%
MAXIMUM	3	0	3	0	0	0	3	0	3	.3%	0%	.2%
CLOSE	99	3	102	5	0	5	104	3	107	10%	2%	9%
MEDIUM	274	22	296	26	1	27	300	23	323	28%	17%	26%
MINIMUM	317	51	368	77	8	85	394	59	453	36%	43%	37%
COMMUNITY[b]	6	2	8	11	9	20	17	11	28	2%	8%	2%
TOTALS	856	93	949	234	45	279	1090	138	1228	89%	11%	
(%)	(90)	(10)	(77)	(84)	(16)	(23)	(89)	(11)	(100)			

[a] Prisoners at the facility less than 72 hours.

[b] There are additional COMMUNITY-security inmates at NRF, the McNeil Island (state prison) Camp, and on work-release and home (electronic) detention.

The above "snapshot" figures were compared with data collected by reviewing a random selection of newly admitted prisoners. Beginning at the end of July, 1989 and going back in time until 25 cases with a register number ending in "7" were chosen, a data pool was generated. (This "intake" sample was admitted between 7/28/89 and 7/233/89--during a period of five days.)

Ninety admissions were reviewed, of which 68% were "Unclassified;" i.e., left the facility before 72 hours had elapsed. Thus, only one of every three new inmates was available for initial classification. Table 2 shows the security classification of the 26 inmate who remained in KCCF after 72 hours; (two additional cases had missing data): the "intake" information is compared the previous "snapshot" data from Table 1.

Table 2

% Distribution of Security Classifications (Two Samples)

	"Intake"	"Snapshot"
MAXIMUM	---	.3%
CLOSE	7%	12%
MEDIUM	21%	35%
MINIMUM	41%	50%
COMMUNITY	31%	3%
TOTAL (n)	(26)	(914)

The MINIMUM security categories constitute the largest group of classified prisoners in both samples. Nevertheless, the facility experiences a continual struggle to "find" a sufficient number of inmates who qualify for community-based programs. This strain on classification staff resources is further exacerbated by a daily battle to keep current with an anticipated 1989 annualized admission rate of 60,000 arrestees (54,260 in 1988).[1]

Thus, classification decision-making has become increasingly problematic. On the one hand a law suit filed by the correctional officer's union (subsequently joined by KCCF inmates) contends that the current system under-classifies prisoners thereby endangering staff; while on the other hand, the County Council seeks more COMMUNITY-securi classifications as a means to reduce the capitol construction costs of interim and new bed-space.

---

[1] The largest discrepancy in Table 2 is in the COMMUNITY classification. This is attributable to the fact that the "snapshot" figures reflect a population <u>after</u> the majority of the COMMUNITY inmates have been moved to community-based programs, which is not true for the "intake" sample.

OVERVIEW OF KCCF's CURRENT CLASSIFICATION SYSTEM

KCCF's current classification system (Appendix D) consists of five security levels: MAXIMUM, CLOSE, MEDIUM, MINIMUM, and COMMUNITY; the COMMUNITY-security inmates are housed outside the jail. Each category is defined in terms of prior criminal history, severity of the current charge, and whether or not the person poses an escape risk or is likely to become a behavior problem. Prisoners in these five security levels are considered "General Population."

Two additional categories -- Behavior Management and Ultra Security inmates -- are housed in Administrative Segregation; they are also considered MAXIMUM-security prisoners. These individuals, along with Medical/Psychiatric, Protective Custody, Separatees, and Phone Deadlock inmates constitute the jail's "Special Custody Population."

An inmate's security level determines where he/she will live and the level of supervision required. Two independent factors -- criminal involvement and management risk (see below) -- govern this decision.

Initial ('primary') classification occurs within 72 hours after Booking in the jail's Intake/Transfer/Release (ITR) section. Reclassification is event-driven: initiated by the inmate, jail personnel, law enforcement agencies, a disciplinary infraction, or a change in information concerning the prisoner (e.g., his/her legal status).

The classification decision process is based on information gathered during an individual interview conducted by a Correctional Program Specialist (supplemented by data obtained from a computer print-out and/or the inmate's classification file). These are one-person, not team, decisions.

In the interest of keeping beds occupied, the first consideration is whether or not the new prisoner qualifies for COMMUNITY-security and placement in the North Rehabilitation Facility. That program, which is for inmates with alcohol or drug abuse problems, is administered by the King County Division of Alcoholism and Substance Abuse Services. Individuals who do not qualify for that or other community based programs are placed within the "tower" -- the King County Correctional Facility.

A Criminal Involvement score is calculated for every inmate based on five factors: Seriousness of Offense, Detainer Status, Escape History, Incarceration Experience, and Conviction History. The five assigned scores are summed. Then the total is used to obtain a final value from the more appropriate of two tables -- one developed for use with felons and the other for misdemeanants (the latter has less stringent standards).

To determine an individual's initial security level, the final Criminal Involvement score is combined (using a matrix table) with a Management Risk (MR) score. While guidelines exist for case-managers to establish each prisoner's Management Risk score, a sizable subjective component is present.

Based on data gathered for this consultation (from the list of inmates who received disciplinary reports in July), the distribution of Management Risk scores (4=hi to 1=low) by security level categories is shown in Table 3 for the 26 randomly selected inmates.

Table 3

Relationship of Management Risk Score to Security Level

	Management Risk Score				
SECURITY LEVEL	hi 4	3	2	1 low	TOTAL
MAXIMUM	-	-	-	-	-
CLOSE	2	2	-	6	10
MEDIUM	-	1	4	8	13
MINIMUM	-	-	-	3	3
COMMUNITY	-	-	-	-	-

High Management Risk scores appear to be associated with high security categories; e.g., the two individuals who received the highest MR score (i.e, "4") were also placed in CLOSE security. However, this relationship does not seem to hold for Management Risk scores at the low end of the spectrum. For example, six prisoners who received low MR scores (i.e., "1"), nevertheless, were placed in CLOSE security.

This same type of "mixed" relationship was also found between Management Risk Scores and number of disciplinary reports. These data, which also derive from the July listing, are shown in Table 4.

Table 4

Relationship of Management Risk Score to Disciplinary Reports

Management Risk Score	# of Disciplinary Reports 11	10	9	8	7	6	5	4	3	2	1	Tot.
hi 4	1	-	-	-	-	-	-	-	-	1	-	2
3	-	-	-	-	-	-	-	-	2	1	-	3
2	-	-	-	-	-	-	1	1	-	1	-	3
lo 1	-	-	-	1	-	-	-	1	5	5	6	18

KCCF employs two levels of Disciplinary Reports (DR): Serious and General. Table 4 presents data for all disciplinary infractions. The one individual who received 11 DRs (10 of which were Serious) also received the highest MR score (i.e., "4"). However, the inmate who received the second highest number of DRs (eight, all Serious), initially, was accorded the lowest MR score (i.e, "1").

These data (Tables 3 & 4), suggest that when classification staff give an individual a high Management Risk score, that inmate does, indeed, display institutional behavior problems at a later time; however, the reverse is not always the case. A number of admissions who received low MR scores (presumably with the expectation that they will cause minimal problems), did <u>not</u> turn out to be "good" inmates. Classification staff appear to be under-predicting which prisoners will be problematic; i.e., there is a high false-negative rate.

- RECOMMEND -- <u>Classification staff be given supplemental training to sharpen their use of the MR score.</u>

  The current classification system provide no systematic feedback to staff who use it. Consequently, classification personnel have no idea when their ratings are "right" and when they miss the mark. Perhaps, on occasion during the twice-monthly meetings of the Classification staff, appropriate feedback could be provide so that these personnel will be able to improve their skills.

Additionally, KCCF's clarification system makes no distinction between security and custody. Therefore, <u>where</u> an inmate lives (security) simultaneously determines his/her level of supervision (custody). This also means that whenever prisoners demonstrate that their current level of supervision is inappropriate, a physical move to a new location is required. According to one staff member, "Anybody can move anybody." Consequently, inmates are frequently moved. This is often accompanied by much manipulation of the system in order to get rid of "problem cases."

Reclassification is not a priority function; for the most-part it occurs on an "as needed" basis. Consequently, a management by crisis atmosphere is prevalent. Classification staff, in addition to their regular duties, are continually responding to special requests to quickly identify inmates for placement in particular programs.

one cannot fail to be impressed by the volume of cases processed by the King County Correctional Facility. Despite the high level of stress under which they operate, the classification staff appear to be doing an outstanding job. The number of problems generated by the prisoners placed in the community-based programs is quite low.

FINDINGS AND RECOMMENDATIONS

No classification system is 100% accurate. There are bound to be mistakes; i.e., over- or under-classifications. However, if these become too numerous, then the entire process may become the subject of critical questions and intense surveillance by internal audit teams as well as by the media. Under such circumstances, already difficult conditions are often exacerbated.

The following two sections present a number of recommendations; the first segment deals directly with classification issues, while the second portion touches on concerns which more indirectly relate to classification. For both sections, the intent is to be constructive -- to suggest ways to improve the existing classification system. However, to some readers it may appear as if the consultant observed nothing "good" in the on-going procedures. Not true! Such a negative image results from the tendency to discuss what needs fixing rather than what is functioning well.

The role of this introduction is to anticipate and minimize any condemnatory tone which may creep into the following remarks.

CLASSIFICATION ISSUES:

The KCCF Classification System -- The current classification system resembles a malfunctioning watch; all the parts are there, but they don't seem to mesh well. As a result (to change the metaphor), inmates do not flow through the jail's various levels of security and into the available community-based programs. A prime contributor to this situation is the review or Reclassification procedure which is poorly integrated into the total classification process.

However, before addressing classification procedures, there is a prior problem -- how to treat the "Unclassified" inmates. This group is problematical since: (1) little may be known about potentially dangerous individuals; and (2) except for being separated into two housing areas -- misdemeanants and felons -- currently they are all "lumped" together.

According to the information developed from the staff survey, only one of every three admissions can be expected to stay at the facility beyond 72 hours. This fact, along with the felon/misdemeanor factor may provide more useful separation criteria for the "unclassified" population.

- RECOMMEND -- The beds available for the "Unclassified" population be separated into two sub-categories -- short-term (expected to stay less than 72 hours) and long-term (expected to stay more than 72 hours) -- with each group having its own housing area(s).

Since the former group will be more numerous, the distribution of short- and long-term beds should be proportionate; e.g., the 2/3 to 1/3 split ("snapshot" figures in Table 1). This separation will permit classification and correctional personnel to concentrate their efforts on those individuals expected to remain in the facility a longer period of time.

Within each of the sub-groups, the misdemeanants could be housed together in one area and the felons quartered together in another; the misdemeanant/felon split is 46% to 54% among short-termers and 15% to 85% among long-termers. Chart I depicts the recommended separation of the "unclassified" inmates.

This recommendation does not imply a benign neglect of the short-term admissions. As with all prisoners, their needs must be attended to; moreover, some of them may turn out to be long-termers.

CHART I

Short-term (68%)		Long-Term (32%)	
Misdemeanants (46%)	Felons (54%)	Misdemeanants (15%)	Felons (85%)

After long-term inmates have been placed into an initial security category, their movement "up" or "down" through the security levels should proceed in an orderly fashion. In order to better accomplish this type of inmate flow, several recommendations will be made:

RECOMMEND -- <u>Classification teams be established by policy, consisting of, at minimum, the Correctional Programs Specialist and the on-duty sergeant.</u>

This will improve decision-making by bringing additional information into the process; it will help build a team spirit and a sense of "ownership," thereby reducing the likelihood of inmates being able to play off one staff member against the other; and, through a regularly scheduled meeting (once a week) a workable routine can be created to replace the current haphazard process of inmate movement.

RECOMMEND -- The policy be changed to require every regularly scheduled correctional officer on a five-day post (on all three shifts) in the inmate housing areas to complete a short behavior checklist on every inmate being seen for initial classification.

Valuable information of importance to accurate classification is being lost because correctional staff have no formal input into the decision-making process. An analysis of the survey data revealed 14 items which consistently differentiated between prisoners deemed to be MINIMUM inmates and those categorized as MAXIMUM prisoners. Providing the ITR case-manager with three correctional officer-completed Jail Behavior/Adjustment Checklists (Appendix E) for each inmate being seen for initial classification, will decrease the likelihood of potentially dangerous misclassifications.

- RECOMMEND -- Policy be changed so that all inmate movements be a consequence of classification team action, except for emergency situations which require the signed approval by the highest level staff person on duty at the time the emergency is declared.

The practice of "everybody moves everybody" must cease. Sergeants must supervise line officers and lieutenants must supervise sergeants to ensure that policy is being followed.

It makes little sense to permit the work of other staff to be undone by someone else's whim. Moreover, it may be quite dangerous for the inmate involved (and result in a liability suit against the institution), if a particular prisoner is unknowingly placed in contact with a separatee.

- RECOMMEND -- The number of security categories be reduced to four (CLOSE, MEDIUM, MINIMUM, and COMMUNITY) and their definition clarified.

Staff was asked, as part of survey, to specify the custody level they would assign to a hypothetical inmate. Six correctional officers replied: MINIMUM--2 replies; MEDIUM--2 replies; MEDIUM to MAXIMUM--1 reply; PC--1 reply. The two other officers from whom survey forms were received indicated: E 10 UB, and blank. Five of the seven case-managers replied MEDIUM; MEDIUM to CLOSE--1 reply; and CLOSE--1 reply.

While there was a high level of consistency among the replies provided by the case-managers, this was not true for the correctional staff (two of whom did not even list a custody level). Virtually the entire spectrum -- from MINIMUM to MAXIMUM -- was recommended for a single inmate; this suggests staff do not have clear reference points to help them distinguish among the different custody categories.[2]

Little differentiation is being made between the current CLOSE and MAXIMUM security levels; retaining them both increases the degree of confusion. If needed, MAXIMUM could be used exclusively as a "status" description for prisoners placed in segregation. This would leave CLOSE as the most restrictive security level for general population.

- RECOMMEND -- <u>That the distinction between security and custody (supervision) be recognized by establishing four levels of supervision -- 4 (hi), 3, 2, 1 (low); and that these be incorporated into the KCCF classification system.</u>

Security refers to the physical features of inmate housing; how many barriers exist between the individual and the outside world. The more barriers there are, the tighter the control exerted over the inmate. Custody refers to the level of supervision a prisoner requires. Given that the person is confined in an appropriately secure setting, all inmates do not require constant surveillance; they all do not need to be placed in full restraints when being moved.

---

[2] As part of the survey, staff members were asked to name two inmates who best typified MINIMUM security individuals and two who exemplified MAXIMUM security prisoners. Patrick Applegreen was the only individual selected by more than one person for MINIMUM. Several prisoners were named more than once for MAXIMUM with Rick Peerson and Samuel Duncan receiving the most votes; Nedra Glass was selected as the female inmate who best represented a MAXIMUM security prisoner.

A rational approach to supervision is cost-effective, since it conserves resources, expending them only as each particular situation requires. As depicted in Chart II on the next page, each security classification (except for CLOSE) would have two levels of supervision. This reduces the need to constantly move inmates, while also providing positive role-models for prisoners in the higher supervision grades.

A chart needs to be developed (see Chart III) which specifies the privileges an inmate has at each level of supervision. This not only informs both staff and prisoners what is (or is not permitted), but it also helps structure the classification decision-making process. If, in the opinion of the Classification Team, a particular prisoner cannot "handle" the privileges associated with the next lower level of supervision, that inmate's custody should not be reduced.

Additional guidance should be provided for the classification team in the form of an objective procedure for determining whether or not the inmate being reviewed is <u>eligible</u> for a custody/supervision change. This judgment is dependant upon ratings the prisoner receives on several factors pertaining to his/her in-jail behavior. While the custody review form may <u>recommend</u> a custody change, the final <u>decision</u> rests with staff. For example, they may be aware of policy restrictions which prevent inmates who have committed a specified crime from ever being in COMMUNITY or MINIMUM security. The Classification Team can override any form-generated recommendation provided they furnish a written justification AND their decision is approved, in writing, by the next higher level in the chain-of-command.

A decision concerning changes in custody/supervision (either "up" or "down") is one of the functions performed at Reclassification. Such reviews should be scheduled on a regular basis; e.g., every 45 days (or as shown in Chart II, on a formula based upon the inmate's release date).

RECOMMEND -- <u>All staff need to be informed regarding how the Classification system functions</u>.

As with any other policy, it is important that all personnel be aware of, and follow, policy in order to avoid inmates playing one staff member off against another. Further, it is virtually impossible to defend the actions of personnel when a law suit is filed, if they fail to follow policy and exceed the limits of their authority.

CHART III

LEVEL OF SUPERVISION -- FEATURES

Activity:	SUPV. LEVEL -- 4	3	2	1
Observation	Always observed and supervised	Frequent and direct	Checked at least every hour	Periodic; appropriate to the situation
Day Movement	Restricted;checkout/ checkin basis	Unescorted but observed by staff	Unrestricted	Unrestricted
Night Movement	Escorted and only on order by the Watch Commander	Restricted, on a checkout/checkin basis	Under staff observation	Unrestricted
Meal Movement	Supervised and may be fed in cell or on cell-block	Supervised	Under staff observation	Unrestricted
Access to Jobs	Only selected day jobs inside the perimeter	All inside perimeter, only	All inside perimeter and supervised outside jobs	Any, both inside and outside perimeter
Access to Programs	Selected programs/ activities; none outside perimeter	All inside perimeter, none outside	All inside perimeter and selected outside activities	Unrestricted, including community-based activities
Visits	Non-contact only	Contact; supervised; indoor only	Contact; supervised; indoor and outdoor	Contact; periodic supervision; indoor and outdoor
Leave the Institution	Armed escorts; inmate in full restraints	Armed one-on-one escort; inmate in at least handcuffs	Escorted	Unescorted
Furlough	Not eligible for day pass* or for furlough	Not eligible for day pass* or furlough	Eligible for day pass* and/or escorted furlough	Eligible for day pass* and unescorted furloughs

Definition: *Day Pass ---------- Permits inmate to be away from institution only during daylight hours; whereas a furlough means overnight for at least one (or more) nights.

CHART II

SECURITY x CUSTODY MATRIX

Institution Security	LEVELS OF SUPERVISION 4 (hi)	3	2	1 (low)
CLOSE	*			
MEDIUM	*			
MINUMUM		*		
COMMUNITY			*	
Reclass. Schedule	One-half of time left to end of sentence (if not less than two weeks)			

* Beginning level of supervision for primary placements

- - -> Option

Reportedly there is not a clear mechanism for policy issuance. Some staff maintain they never know when new policy has been activated. If the current policy on policy issuance does not contain the appropriate section, it should be up-dated to specifically include: (1) the responsibility each level of supervisors has to keep his/her subordinates informed; and (2) monitoring procedures to ensure that item (1) is accomplished. It may be necessary to establish a sign-off sheet so staff members will not be able to maintain at some later date that they "never saw" the policy.

RELATED AREAS:

In the words of one KCCF staff member: "There are two or three different organizations in one building." She was referring to the fact that not all of the personnel who provide services to KCCF inmates are part of the chain-of-command leading to Steve Schwalb, the Director of the Department of Adult Detention (DAD). For example both the medical/psychiatric unit staff and personnel employed in the North Rehabilitation Facility are part of different agencies. This could be a management organizational nightmare.

- RECOMMEND -- <u>The current Table of Organization be restructured with the intent of specifying lines of authority commensurate with areas of responsibility</u>.

  All personnel who work with inmates still under the jurisdiction of DAD, should: (1) be required to adhere to DAD policy; and (2) have a specified DAD staff member provide written input into that individual's annual evaluation.

One of the areas the consultant was asked to address concerned the adequacy of the current staffing pattern for classification personnel. Appendix ~~F~~ E - Classification Staffing -- shows a proposed functional distribution of the 16 Correctional Programs Specialists (case-managers).

During the on-site visit, the consultant discussed with KCCF staff members the idea of an organizational restructuring the facility along unit management lines. This entails the activities of case-managers being determined by the area of the jail to which they were assigned, as opposed to the proposed function-dominated schedule. Within a given area, sufficient numbers of personnel would be assigned to complete required activities, furnish an appropriate level of services, and provide adequate shift coverage.

Since there are no universally accepted staffing ratios for jail or prison personnel, arriving at what constitutes an "adequate staffing pattern" is complex. It should be based on the mission of the facility, the goals and objectives of the classification department, and the most cost-effective organizational structure. An appropriate staffing pattern should emerge from what employees are expected to do, rather than result from a "magic number" that an "expert" pulls from out of thin air.

- RECOMMEND -- That a Director's Task Force on Unit Management be established to report on the feasibility of reorganizing the administration of KCCF along unit management lines. This multi-disciplinary group should also be tasked with establishing appropriate staffing patterns for all personnel -- "treatment" and "security" -- for each unit.

This consultant was favorably impressed by KCCF's on-line computerized Management Information System (MIS) and its ability to provide information for this report. Apparently, the MIS system furnishes quick data retrieval but possesses only a limited ability to compile reports. Staff stated that it "should do more than just store information."

Reportedly, MIS is not user friendly; little staff input went into the design of its programs making the extraction of useful information difficult-to-impossible. Unfortunately, this is not an unusual problem in jurisdictions across this country.

> RECOMMEND -- A multi-disciplinary MIS Committee be established which will have the authority to set priorities for needed MIS programming and to ensure that the reports produced will have practical use in the day-to-day management of the facility. The Committee's membership should include representation from both data processing and KCCF and include individuals at the line as well as the managerial levels.

Lastly, a question was raised concerning procedures to be initiated should the "lid" be reached. The King County Correctional Facility has a court-established maximum population capacity. Specifically, "Can we lower classification for short-term inmates so more dangerous inmates can be booked?"

- RECOMMEND -- <u>That KCCF not ignore its own policy-established classification procedures to meet special contingencies, unless so order by the courts</u>.

Corrections agencies have no authority to decide who will be committed to their facilities; this is the function of the court system. Nor do they have the authority to determine how long sentenced offenders will remain confined; that is established, initially, by the sentencing judge whose discretion is circumscribed by statute, and may be modified, subsequently, by a paroling authority. The "front door" and the "back door" are controlled by others. While this may be inconvenient, it does provide for a separation of powers which is the basis for our democracy-style government.

If on its own, KCCF decides to set aside the above ideas, it becomes highly vulnerable to any public-initiated litigation should a short-term inmate not live up to his/her purported non-dangerous label. Being "short" -- close to the end of one's sentence -- is not equivalent to being "harmless;" even serial rapists sometimes reach the end of their sentence.

CONCLUSION

In addition to the primary purpose of the Technical Assistance visit -- examine the classification system currently being utilized by the King County Correctional Facility -- a number of other tangential concerns have also been addressed. Clearly, under very trying circumstances, KCCF is managing to function reasonably well. A number of areas have been identified in which suggested modifications would improve the overall operation of this facility. Many of these consist of "fine tuning" what already exists.

No

Current population projections, court-imposed capacity ceilings, and the union-initiated law suit all suggest a crisis-driven atmosphere for the near term. Given these circumstances, and the prospect for the construction of a new, downtown jail, it might be advisable for the King County Correctional Facility to consider the prospect of embarking on a longer-term, over-all assessment, leading to the establishment of a five-year strategic plan. The object of that plan would be to integrate KCCF's several sites -- current facility, old jail, interim housing, new jail -- into a single, staff-efficient operational entity (correctional system), founded upon sound external and internal classification/reclassification procedures.

A P P E N D I C E S

APPENDIX A

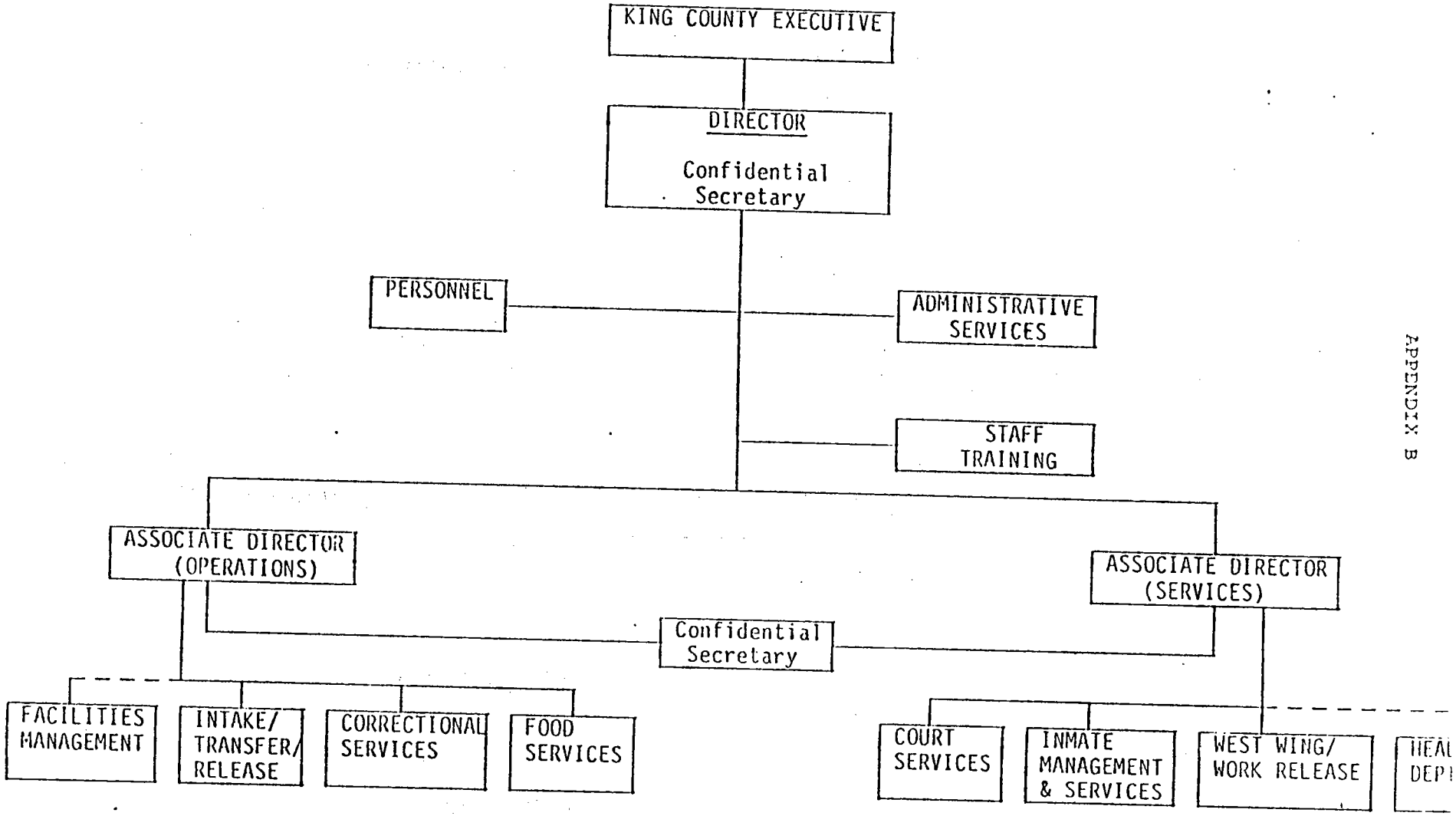
BOB LEVINSON ITINERARY

ARRIVE:	MONDAY 8/21	11:45	UNITED
DEPART:	FRIDAY 8/25	7:45	UNITED

MONDAY:	MEETING WITH STEVE SCHWALB/BOB DENEUI	2:30
	MEETING WITH BOB THOMAS (AT B. THOMAS)	3:30
	TOUR OF FACILITY	4:30
TUESDAY:	CLASSIFICATION OBSERVATION (BYRLA/LAURIE/VICKI/SUSAN)	8:30
	LUNCH WITH RAY COLEMAN	12:00 -130
	MEETING WITH WENDY KELLER/ DEANNA STROM	2:30
	DINNER WITH MGT. STAFF	
WEDNESDAY:	MEETING WITH JAIL HEALTH	8:30 - 10:00
	CLASSIFICATION STAFF MEETING	12:00
	MEETING WITH STEVE SCHWALB	3:00
THURSDAY:	CLOSE OUT MEETING (BOB CHRISTENSEN/BOB DENEUI/ RAY COLEMAN)	11:30
	MEETING BOB THOMAS/WENDY KELLER BOB DENEUI - SUMMARY	2:00

DEPARTMENT OF ADULT DETENTION
ORGANIZATION CHART

ATTACHMENT #1



Certified Correct: _____
Director

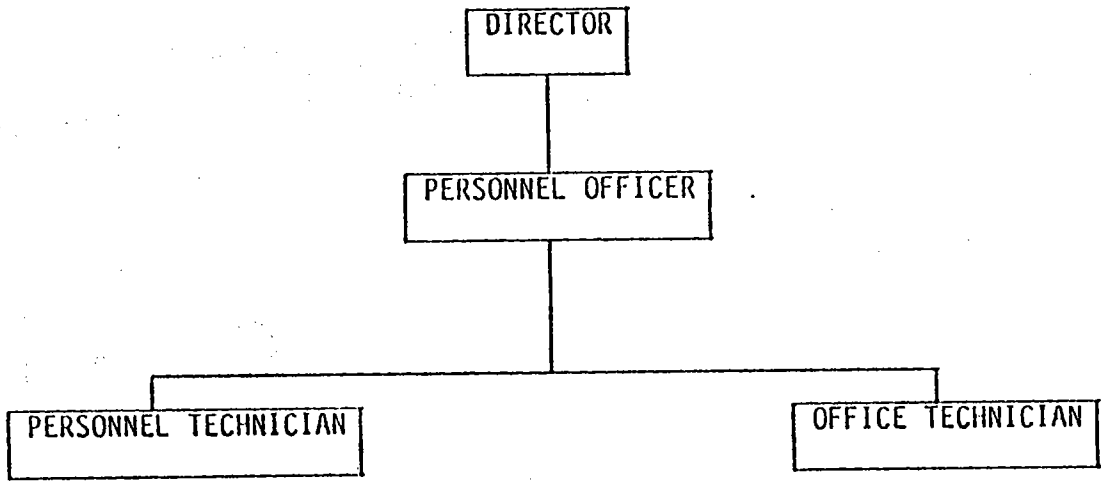
t:orgl
2/6/89

APPENDIX B

ATTACHMENT #2

DEPARTMENT OF ADULT DETENTION

PERSONNEL



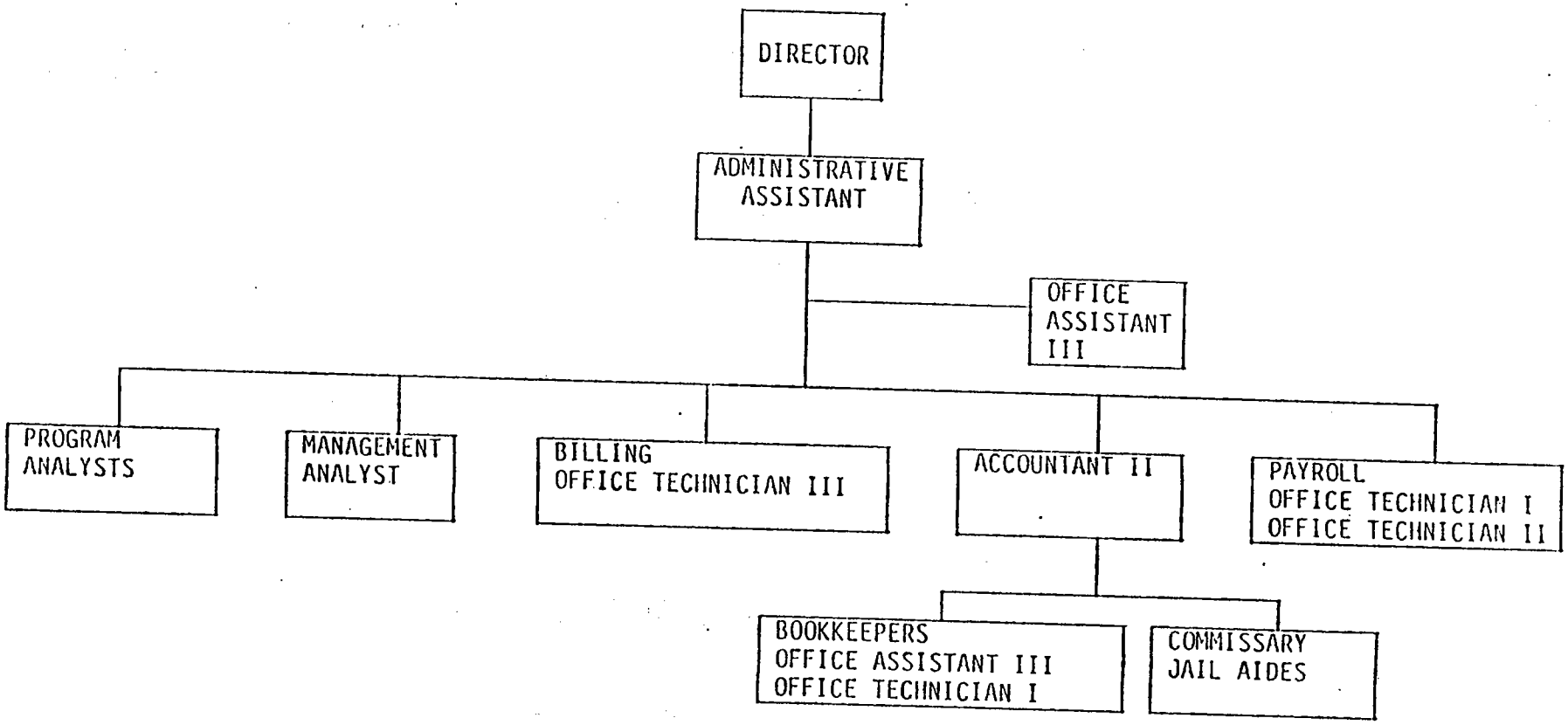
Certified Correct:_____
PERSONNEL OFFICER

t:org2
1/10/89

DEPARTMENT OF ADULT DETENTION

ATTACHMENT #3

ADMINISTRATIVE SERVICES



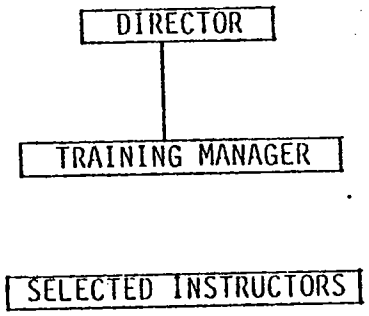
Certified Correct: _____

ADMINISTRATIVE ASSISTANT

t:org3
1/10/89

DEPARTMENT OF ADULT DETENTION

STAFF TRAINING

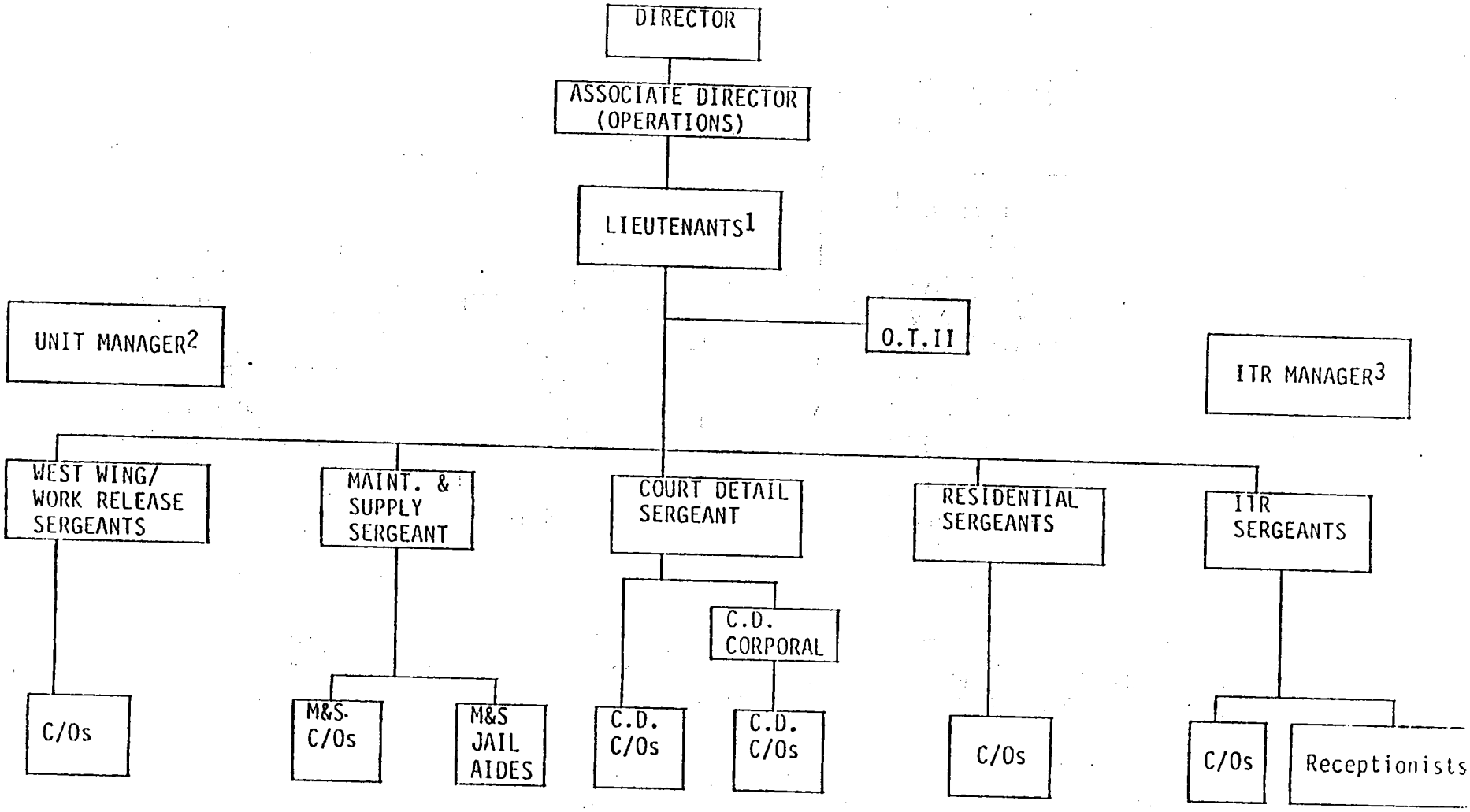


Certified Correct: _____
TRAINING MANAGER

t:org4
1/10/89

DEPARTMENT OF ADULT DETENTION
CORRECTIONAL SERVICES

ATTACHMENT #5



1 Lieutenants serve primarily as shift commanders, providing the ranking administrative supervision to their shift. the absence of the Director and Associate Director, Lieutenants are in charge of the facility.

2 The dotted line denotes a dual line of supervision provided. See Attachment #8.

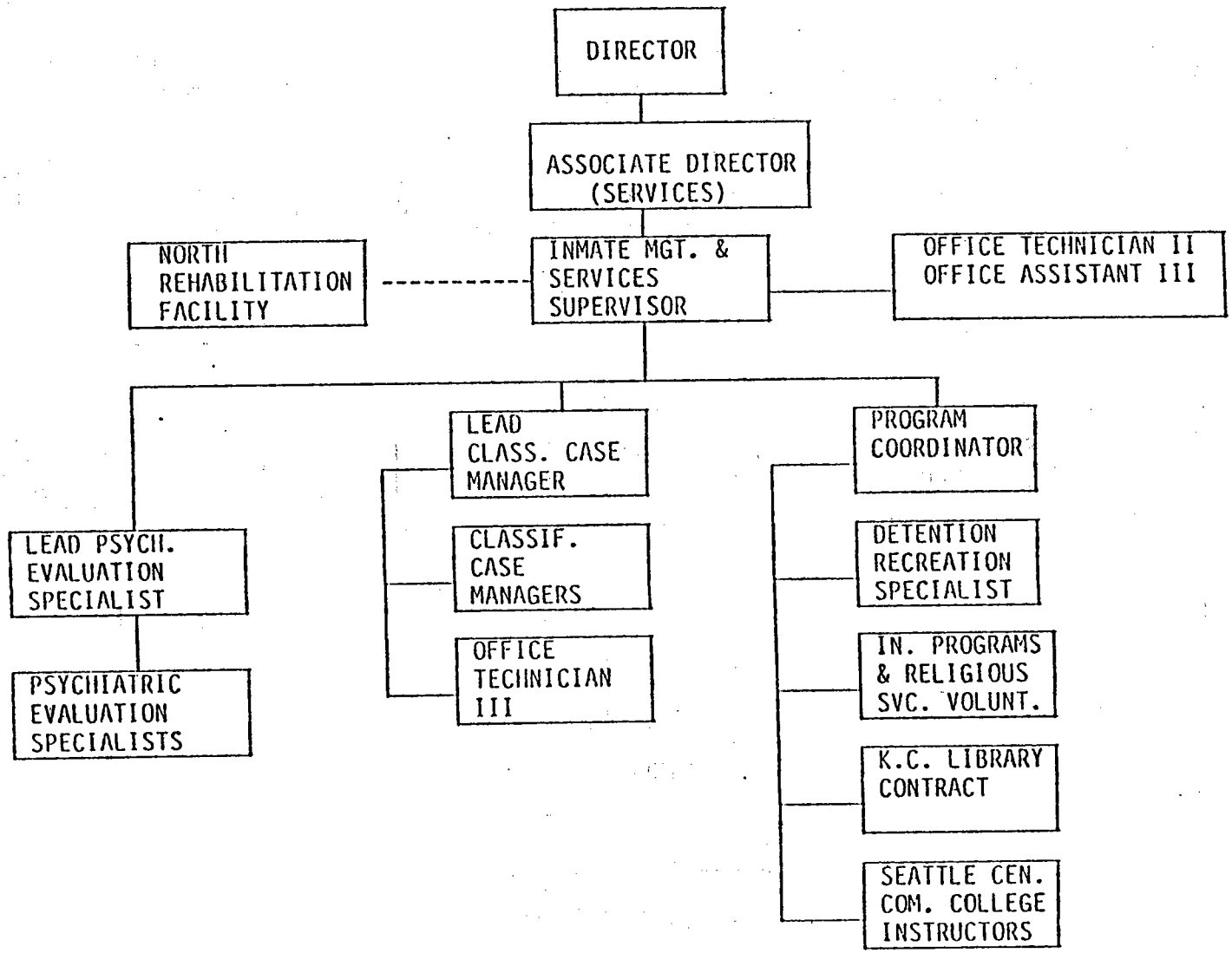
3 The dotted line denotes a dual line of supervision provided. See Attachment #9.

t:org5
2/6/89

Certified Correct: _____
Associate Director (Operations)

ATTACHMENT #6

DEPARTMENT OF ADULT DETENTION
INMATE MANAGEMENT AND SERVICES



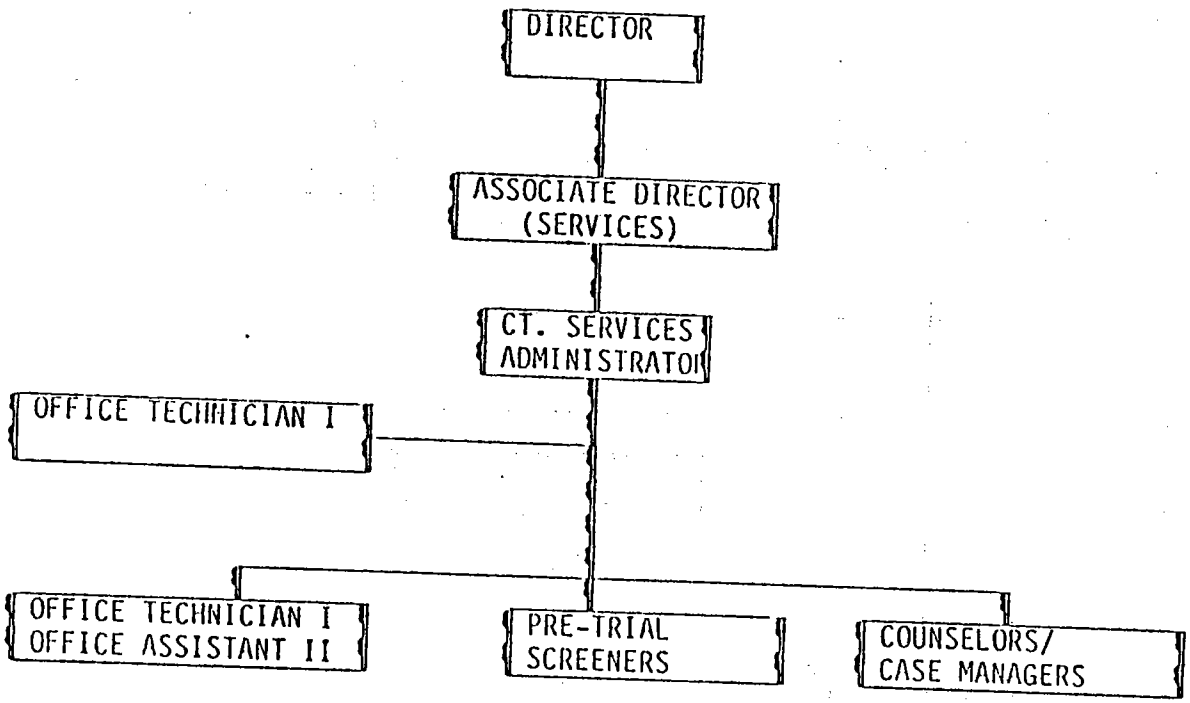
Certified Correct: _____
Inmate Management & Services Supervisor

rg6
/89

ATTACHMENT #7

DEPARTMENT OF ADULT DETENTION

COURT SERVICES



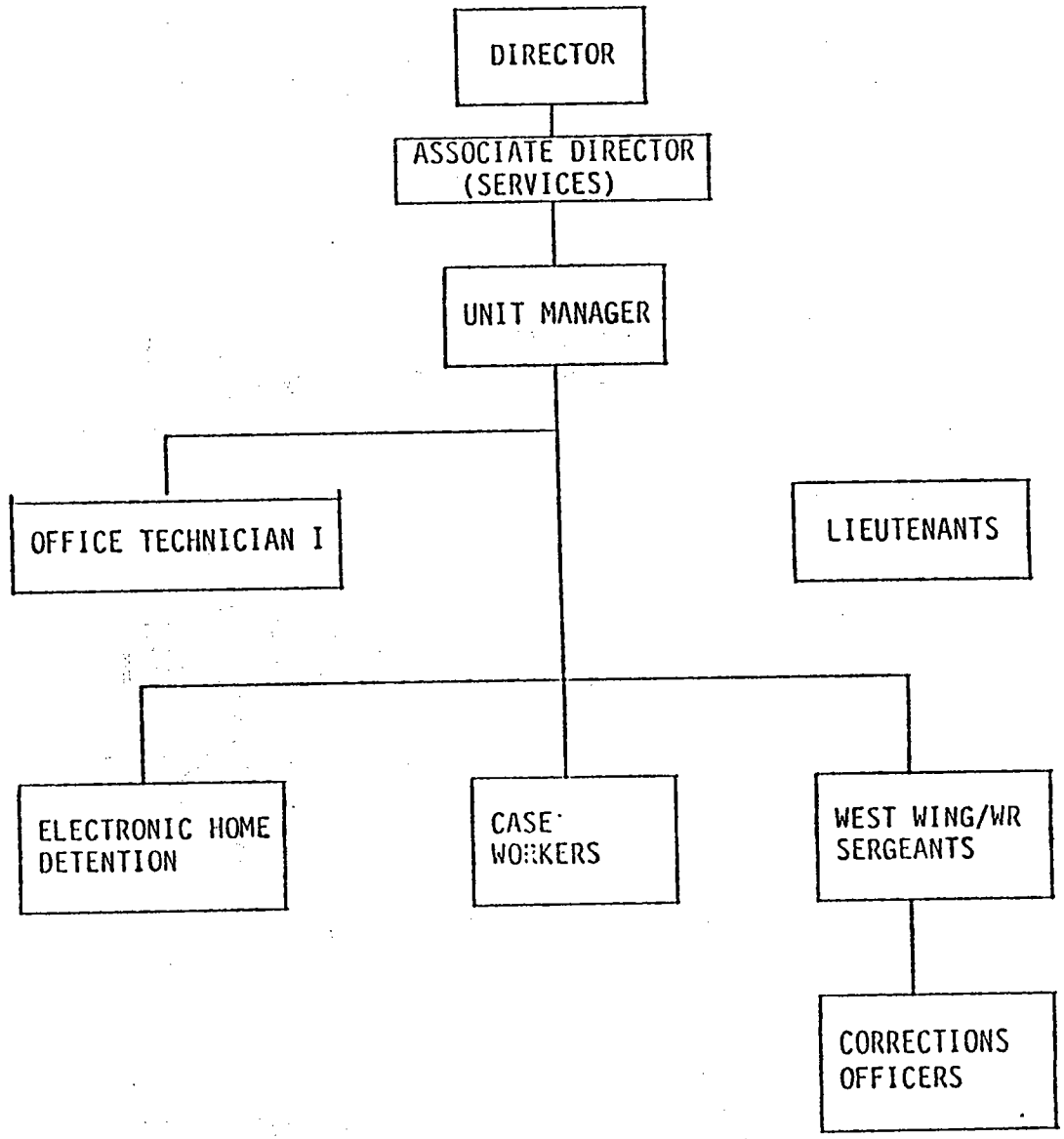
Certified Correct: _____
Court Services Administrator

t:org7
2/6/89

ATTACHMENT #8

DEPARTMENT OF ADULT DETENTION

WEST WING/WORK EDUCATION RELEASE



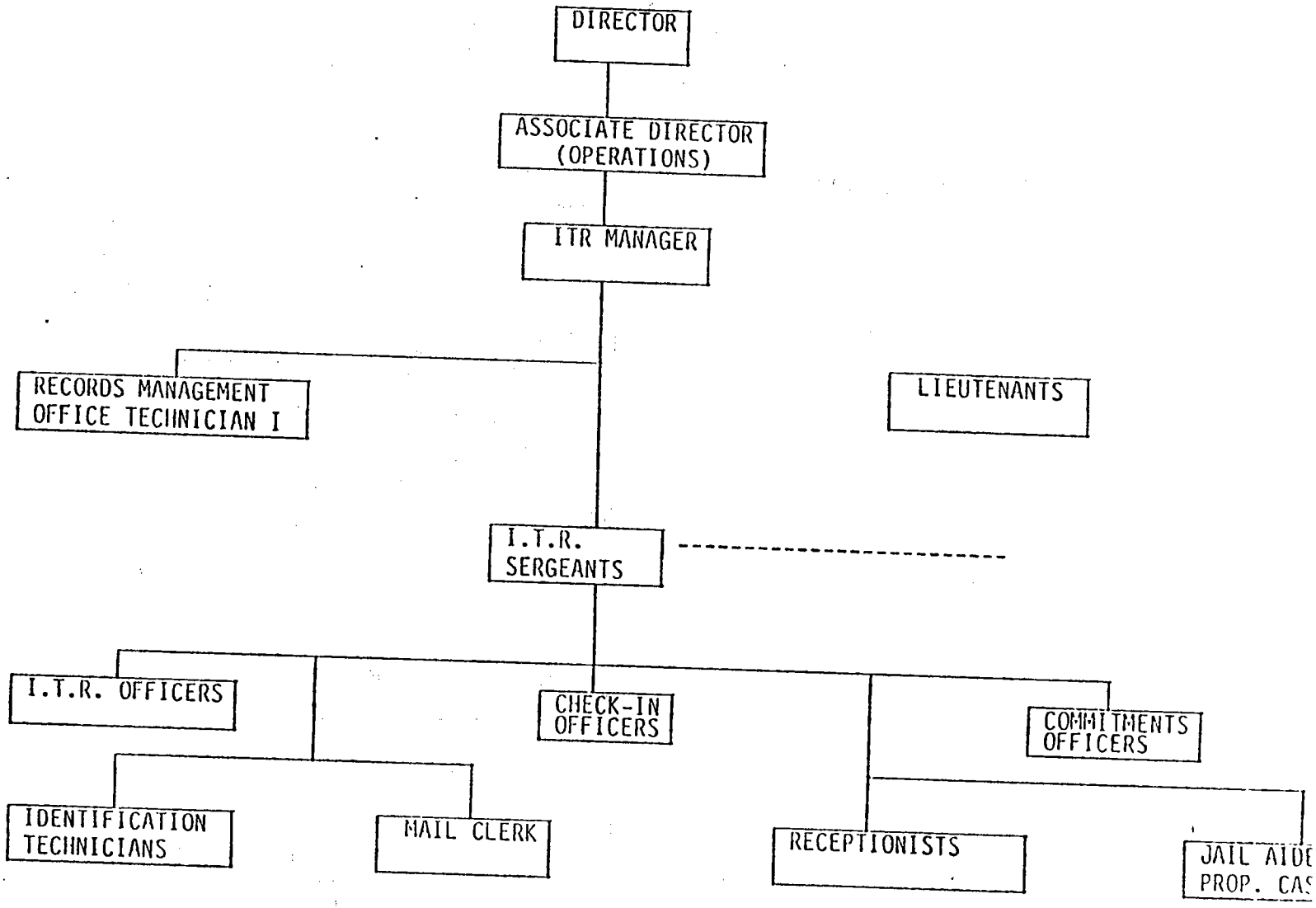
Certified Correct: _____
West ng Manager

t:org8
2/6/89

ATTACHMENT #9

DEPARTMENT OF ADULT DETENTION

INTAKE/TRANSFER/RELEASE



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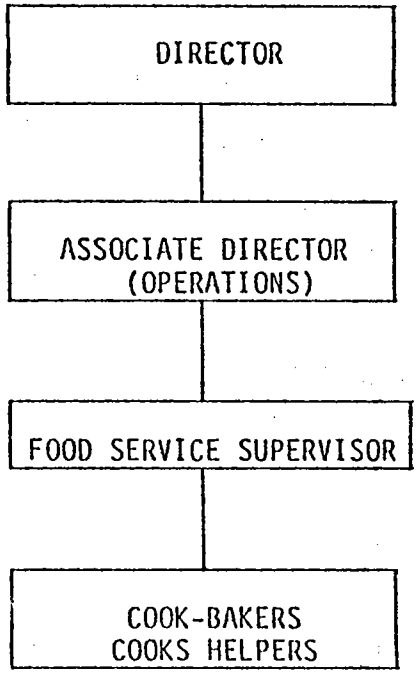
2/6/89

Certified Correct: _____
ITR MANAGER

FOOD SERVICES

ATTACHMENT #10



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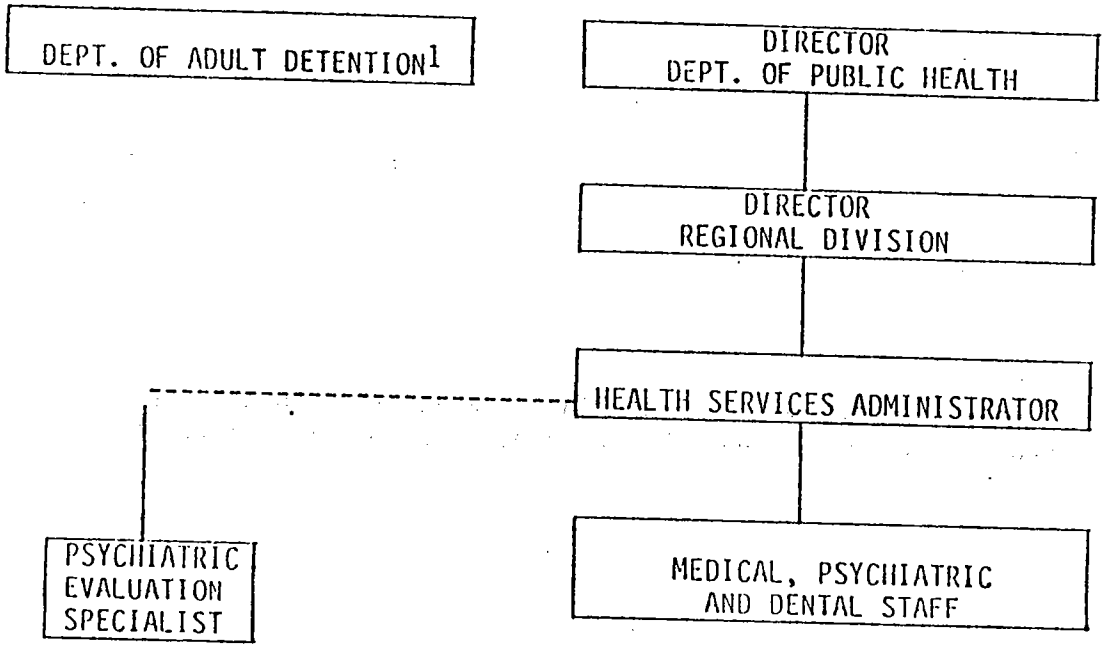
2/6/89

Certified Correct:_____
Food Services Supervisor

INMATE HEALTH SERVICES

ATTACHMENT #11



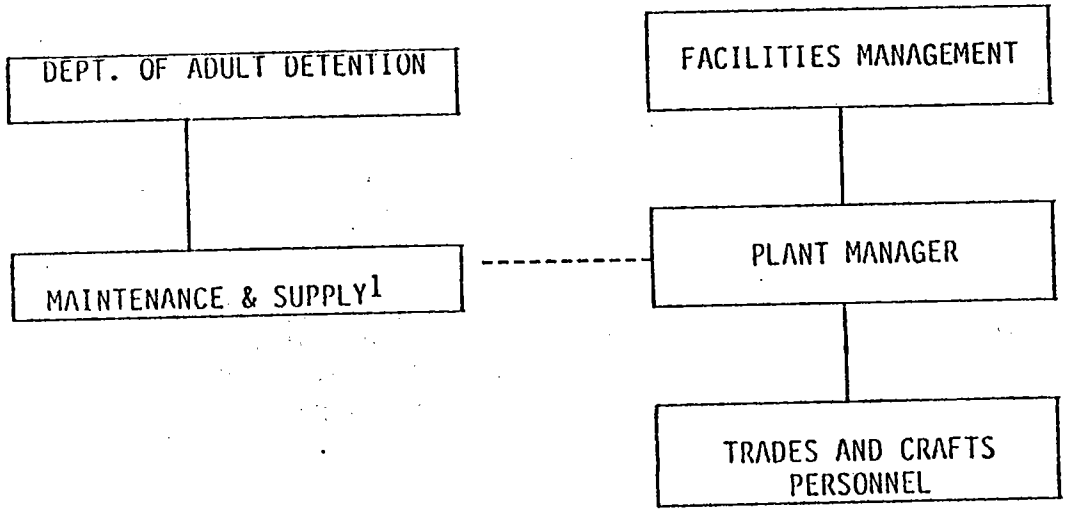
1 The dotted line indicates a general administrative responsibility for inmate health and welfare. This includes inmate management and security responsibilities for the infirmary, and psychiatric housing and clinic areas. The actual provision of professional medical, psychiatric and dental care is the responsibility of the Health Department.

t:orgll
2/6/89

Certified Correct: _____
Health Services Administrator

ATTACHMENT #12

FACILITIES MANAGEMENT



1 The dotted line indicates a coordinating and scheduling responsibility. Direct and technical supervision of trades personnel is provided by Facilities Management staff.

Certified Correct: _____
Plant Manager

t:orgl2
2/6/89

APPENDIX C

King County
Department of Adult Detention
Inmate Services
500 Fifth Avenue
Seattle, Washington 98104
(206) 344-6927

AUGUST 22, 1989

TO: CONCERNED STAFF

FR: BOB CHRISTENSEN, ASSOCIATE DIRECTOR, OPERATIONS
BOB DENEUI, SUPERVISOR, INMATE MGT. AND SERVICES

RE: CLASSIFICATION AUDIT

As part of the audit by the National Institute of Corrections consultant Dr. Bob Levinson, please complete the attached survey and return it no later than end of day Wednesday to Bob Deneui's Fifth floor box.

This information is for an objective analyses of the Classification system. It will be anonymous, and your candidness it appreciated.

cc: All Lieutenants
All Sergeants
Classification Staff
Corrections Officers

SECURITY FEATURES OF INMATES

I. On lines (a) & (b) write the names of inmates you know who in your opinion best represent MINIMUM security prisoners.

(a) _____

(b) _____

II. Write three ways MINIMUM inmates (a) and (b) are similar.

1. _____

2. _____

3. _____

III. On the two lines below (x & y) write the names of inmates you know who best represent MAXIMUM security prisoners.

(x) _____

(y) _____

IV. List three <u>other</u> ways MAXIMUM inmates (x) & (y) are similar.

1. _____

2. _____

3. _____

V. Write three ways inmate <u>(a)</u> and inmate <u>(x)</u> are different.

1. _____

2. _____

3. _____

VI. Write three ways inmate <u>(b)</u> and inmate <u>(y)</u> are different.

1. _____

2. _____

3. _____

Please turn over to next page.

NSTRUCTIONS: On the following two pages, please complete every tem; fill in both columns -- (a)/(b) and (y)/(z).

.CIRCLE 0,1,2,3,or 4 in column (a)/(b) to show how much each item describes (a) and (b), listed by you on the previous page.

.CIRCLE 0,1,2,3 or 4 in column (y)/(z) to show how much each item describes (y) and (z), listed by you on the previous page.

a)/(b) 0 = Not true at all ---- 4 = Totally true (y)/(z)

M		MAXIMUM
1.	0 1 2 3 4 . . . . . Has few, if any, friends	0 1 2 3 4
2.	0 1 2 3 4 . . . . . Thrill-seeking	0 1 2 3 4
3.	0 1 2 3 4 . . . . . Preoccupied; "dreamy"	0 1 2 3 4
4.	0 1 2 3 4 . . . . Uncontrollable as a child	0 1 2 3 4
5.	0 1 2 3 4 . . . Expressed guilt over infractions . . .	0 1 2 3 4
6.	0 1 2 3 4 . . Expresses need for self-improvement . .	0 1 2 3 4
7.	0 1 2 3 4 . . . . . Socially withdrawn	0 1 2 3 4
8.	0 1 2 3 4 . . . . Weak, indecisive, easily led	0 1 2 3 4
9.	0 1 2 3 4 Imprisoned in local, state, or federal jail	0 1 2 3 4
10.	0 1 2 3 4 . . . . . Tough, defiant	0 1 2 3 4
11.	0 1 2 3 4 . Irregular work history (if not a student)	0 1 2 3 4
12.	0 1 2 3 4 . Noted not to be responsive to counseling .	0 1 2 3 4
13.	0 1 2 3 4 . Gives impression of ineptness, incompetence in managing everyday problems . .	0 1 2 3 4
14.	0 1 2 3 4 . . . . Supports wife and/or children . . .	0 1 2 3 4
15.	0 1 2 3 4 . Blames family problems for difficulties .	0 1 2 3 4
16.	0 1 2 3 4 . . Close ties with criminal elements . . .	0 1 2 3 4
17.	0 1 2 3 4 . . . . . Depressed, morose	0 1 2 3 4
18.	0 1 2 3 4 . . . . . Physically aggressive	0 1 2 3 4
19.	0 1 2 3 4 Difficulties likely due to "stupid" behavior	0 1 2 3 4
20.	0 1 2 3 4 . . . . . Single marriage	0 1 2 3 4
21.	0 1 2 3 4 Voices feelings of inadequacy, worthlessness	0 1 2 3 4
22.	0 1 2 3 4 . . . . Difficulties while in school	0 1 2 3 4
23.	0 1 2 3 4 . . . . Suffered financial reverses	0 1 2 3 4
24.	0 1 2 3 4 . . . . . Passive, submissive	0 1 2 3 4
25.	0 1 2 3 4 . . . . . Bravado, braggart	0 1 2 3 4
26.	0 1 2 3 4 Guiltless; blames others for difficulties	0 1 2 3 4
27.	0 1 2 3 4 . . Expresses lack of concern for others . .	0 1 2 3 4

Please turn to next page.

INSTRUCTIONS: Please indicate which of the following behaviors (a)/(b) and (y)/(z) exhibit. In each column, if the item describes the individuals, CIRCLE the "1;" if it does not, then CIRCLE the "0." PLEASE COMPLETE EVERY ITEM; i.e., for both columns.

	(a)/(b)		0 = Not descriptive --- 1 = Descriptive	(y)/(z)	
MINIMUM					MAXIMUM
(1)	0	1	Worried, anxious	0	1
(2)	0	1	Tries, but cannot seem to follow directions	0	1
(3)	0	1	Tense, unable to relax	0	1
(4)	0	1	Socially withdrawn	0	1
(5)	0	1	Continuously asks for help from staff/authority	0	1
(6)	0	1	Gets along with troublemakers	0	1
(7)	0	1	Seems to take no pleasure in anything	0	1
(8)	0	1	Jittery, jumpy; seems afraid	0	1
(9)	0	1	Uses leisure time to cause trouble	0	1
(10)	0	1	Continually uses profane language; curses and swears	0	1
(11)	0	1	Easily upset	0	1
(12)	0	1	Sluggish and drowsy	0	1
(13)	0	1	Cannot be trusted at all	0	1
(14)	0	1	Moody, brooding	0	1
(15)	0	1	Needs constant supervision	0	1
(16)	0	1	Victimizes weaker individuals	0	1
(17)	0	1	Seems dull and unintelligent	0	1
(18)	0	1	Is an agitator about race	0	1
(19)	0	1	Continually tries to con staff/authority	0	1
(20)	0	1	Impulsive; unpredictable	0	1
(21)	0	1	Afraid of others	0	1
(22)	0	1	Seems to seek excitement	0	1
(23)	0	1	Never seems happy	0	1
(24)	0	1	Doesn't trust staff/authority	0	1
(25)	0	1	Passive; easily led	0	1
(26)	0	1	Talks aggressively to others	0	1
(27)	0	1	Accepts no blame for any of his troubles	0	1
(28)	0	1	Continually complains; accuses staff/authority of unfairness	0	1
(29)	0	1	Daydreams; seem to be mentally off in space	0	1
(30)	0	1	Talks aggressively to staff/authority	0	1
(31)	0	1	Has a quick temper	0	1
(32)	0	1	Obviously holds grudges; seeks to "get even"	0	1
(33)	0	1	Inattentive; seem preoccupied	0	1
(34)	0	1	Attempts to play staff/authority off against one another.	0	1
(35)	0	1	Passively resistant; has to be forced to participate	0	1
(36)	0	1	Tries to form a clique	0	1
(37)	0	1	Openly defies regulations and rules	0	1
(38)	0	1	Often sad and depressed	0	1
(39)	0	1	Stirs up trouble among others	0	1
(40)	0	1	Aids or abets others in breaking the rules	0	1
(41)	0	1	Considers himself unjustly treated	0	1

HYPOTHETICAL CASE HISTORY

Henry Jones, a 28-year old black male, has been charged with two felonies -- assault and burglary. The arresting officer's report states that the prisoner was in the process of the burglary of an occupied dwelling around 5:30 pm when he was physically confronted by the occupant, a 43-year old male. During an ensuing struggle, both individuals were slightly injured. No holds or detainers are indicated in the record.

Mr. Jones, a relatively large man -- 6'7", 295 pounds -- is quite effeminate in both appearance and demeanor. He is one of 11 children, with no father present in the family. Mr. Jones completed 12 years of formal education but did not obtain his diploma. A resident of the community for the past 10 years, he currently lives in a one-room, minimally furnished apartment. His employment record is spotty -- many short-term jobs in semi-skilled work. There is a history of minor alcohol abuse. At the time of the current offense, Mr. Jones had been unemployed for six weeks.

Three years ago Mr. Jones was divorced -- his ex-wife has custody of their two children.

In 1979 he was reported AWOL from the U.S. Army, but turned himself in to the authorities within two weeks. His military records indicate a dishonorable discharge.

A criminal history records search revealed prior convictions for simple assault (in 1981) and grand theft (1983). This first conviction resulted in two years on probation while the second produced a two year state prison sentence. His adjustment during his previous incarceration was satisfactory -- only minor violations for failure to work and to take orders.

During this current incarceration Mr. Jones has presented no problems while waiting for classification. He does not mix with the other inmates but spends his time by himself listening to the radio. When given orderly assignments, his work is slow. He tends to give one-word answers when asked questions. The area around his bunk is usually messy, as is his general appearance.

In classifying Mr. Jones it is important to be aware that the institution is at approximately 120% capacity, with all single cells currently occupied. Offenses of this type normally result in a $10,000 to $20,000 bond.

WRITE IN CUSTDOY YOU WOULD ASSIGN TO MR. JONES: _____

WHERE WOULD YOU HOUSE MR. JONES: _____

EXPLAIN YOUR ANSWERS TO <u>BOTH</u> QUESTIONS:

_____

_____ (over)

LIST OTHER WAYS YOU USE TO IDENTIFY WHO SHOULD BE:

A Minimum security inmate:	A Maximum security inmate:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Other comments: _____

_____

_____

Please return the completed form after you have completed the next three items:

Position Title: _____

Number of years working in King County Corrections Facility: _____ years

Amount of contact with inmates: check ONE

_____ every day

_____ more than 3 times per week

_____ 1 to 3 times per week

_____ about once a month

_____ rarely

_____ never

Thank You!

CLASSIFICATION

Department policy requires that inmates be classified in order to: (1) insure safety, order and security in conformance with State standards and constitutional requirements, and (2) identify special treatment and program needs so that appropriate services can be provided and (3) maintain standards of inmate welfare.

The Department's Classification system is designed to meet the following specific objectives:

* To provide secure holding, preventing escapes and unauthorized absences.
* To identify the levels of potentially violent or aggressive inmate behavior, and to separate aggressive from weaker inmates.
* To promote a safe environment for staff and inmates by providing protection from physical assaults, abuses, indignities, and cruelties.
* To promote an orderly environment for staff and inmates.
* To identify the medical, psychiatric, treatment and program needs of inmates.
* To provide for the separate management of inmates who have special problems and those who require segregated housing.
* To minimize public risk.
* To efficiently utilize available jail facility capacities and programs.

I. STAFF LOCATION: Throughout Jail Residential Floors 7,8,9,10,11

II. PERSONNEL: Inmate Management Services Supervisor, Leadworker - Correctional Program Specialist, Correctional Program Specialists, and Office Assistants.

III. BASIC RESPONSIBILITIES:

Basic responsibilities of Classification Staff are to:

A. Determine the initial housing placement for each inmate based on security level, medical, psychiatric, and special custody needs.

B. Determine inmate's eligibility for programs and services.

C. Coordinate scheduling for programs.

D. Maintain records on housing placements and inmate's behavior.

E. Communicate special concerns or problem behavior to appropriate staff.

F. Reduce new inmate anxiety by dissemination of orientation information.

G. Provide crisis intervention, information and referral.

H. Hold Disciplinary and Administrative Segregation Hearings.

I. Approve floor trustees.

J. Screen prisoners for community program placement.

K. Review housing placements and reassign housing when appropriate.

L. Communicate exceptional behavior (both positive and negative) to the following:

   1. Judiciary

   2. Department of Corrections

   3. Probation/Parole

   4. Other Institutions

M. Respond to request from the following:

   1. Inmates

   2. Office of the Ombudsman

   3. Attorneys

4. Probation and Parole Officers

5. Other Institutions

6. Concerned Relatives/Friends

IV. BASIC OPERATION PROCEDURE

A. CLASSIFICATION COMPOSITION

Classification teams will be composed of Correctional Program Specialists. The Classification team handling Disciplinary and Administrative Segregation hearings will generally be composed of one Correctional Program Specialist.

B. AUTHORITY

Decisions of Classification shall not be changed by other staff member of the jail, except as noted under exceptions below. Any such change , including failure to transfer, will require the approval of the Correction's Duty Sergeant. In addition, any such changes must be documented using a KCDC Form 571, and an Officer's Report which details the action and the reasons for the action. The form and report will be forwarded to Classification and placed into the inmate's file. Copies of the forms will be disseminated by the initiator of the reports.

C. EXCEPTIONS

Jail staff, other than Classification, may move inmates to living areas not assigned by Classification only under the following circumstances:

1. In a emergency or threat to security.

2. Any instance in which an inmate needs placement into special custody (i.e. medical,psychiatric, pre-disciplinary segregation, administrative segregation, ultra security, protective custody, or legal segregation) in order to maintain the immediate health or safety of the inmate.

Figure 1

O V E R V I E W

Classification System

King County
Dept. of
Adult Detention

Jail Security Level Factor	Jail Security Levels
Criminal Involvement	1 - Minimum
Management Risk	2 - Medium
	3 - Close
	4 - Maximum

Community-Based Program Factors For Community Based Programs

NRF Eligibility Standards

Work Release Eligibility Standards

Electronic Home Detention Standards

Special Custody Status*

Medical

Psychiatric

Disciplinary Segregation

Administrative Segregation

Intrastate Compact with State Department of Corrections (DOC)

* Will have either a Jail security level or be Community Based Program eligible in addition to the special custody status.

7-7-89

D. SECURITY LEVELS

Each inmate is classified into a security level. The security level indicates the type of housing and the level of supervision an inmate requires. The independent factors of criminal involvement, and management risk determine the security level.

1. HOUSING

Housing within security levels depends on a variety of factors which promote compatibility and reduce tensions. Age, maturity, passive vs. active personalities, racial balance, ethnic background, the need to separate co-defendents, gang membership on the outside, and general compatibility are the major factors used to separate inmates within a security level housing area.

2. INITIAL PLACEMENT

Initial placement in a security level is made at the initial classification, which occurs within 72 hours of Booking. At reclassification, the security level may be changed. This can be a result of any new information: a change in legal status, or a change in behavior. It is possible to move both up and down the security level scale. Reclassificaion is caused by a request that is received from inmates, jail staff, law enforcement agencies, when a housing unit is reviewed for possible redesignation of it's security level, or in an effort to resolve real or potential living concerns.

3. SECURITY LEVEL CATEGORIES:

There are five (5) security level categories: Community Program Security, Minimum, Medium, Close and Maximum.

A. COMMUNITY SECURITY

The lowest risk category. Generally reserved for offenders deemed to be a minimal risk to the community. They must meet specific criterion to be admitted into any community security program. Each specific program is designed to minimize risk to the community while meeting the desire to reintegrate the inmate into his/her community, with better social skills.

These inmates are accepted into and reside at facilities outside the Jail tower (WER,NRF, Pioneer Cooperative, Electronic Home Detention, Bishop Lewis House, or other community based facilities.)

B. MINIMUM SECURITY

A low risk category, inmates may possibly be eligible for, but not yet placed into outside programs, or have been unable to be place in the community program due to legal or behavioral reasons. They are also inmates, not community program eligible, who are compatible with large groups of inmates and who will be returning back into the community within a short time period.

Population at this level consist of misdemeanants, property felonies, serious felonies sentenced to King County Jail who have minimal disciplinary problems, are not-aggressive, mature, or pose no escape risk and have limited prior violent felony convictions.

C. MEDIUM SECURITY

This is the lowest risk category which is housed inside the main jail tower, it consist of male and female misdemeanants and felons who are not eligible for WER, NRF or other community facilities.

The population at this level is typically comprised of moderately serious felons, who are criminally experienced with prison history, who may have a parole hold, are aggressive, streetwise, and may have some general adjustment problems.

OR

They may be charged misdemeanants who have been on Administrative or Disciplinary Segregation, or who have prison experience or a history of serious violent felony convictions.

D. CLOSE SECURITY

This category implies a security risk and consists of felons charged with serious violent or property crimes. They have extensive prison experience, at least one prior conviction of a crime against a person, or are in jail on a transport order, and/or are aggressive, uncooperative, have a history of behavior problems, are dominant or intimidating personalities with some serious adjustment problem.

OR

They are misdemeanants who have a history of the above although held only on a misdemeanor charge.

This group has limited access to programs.

E. MAXIMUM SECURITY

High Security Risk inmates in a general housing unit. These inmates are extremely criminally sophisticated individuals with an extensive history of prison incarceration, and/or charged with, or convicted of serious violent felonies.

This group has limited access to programs, limited to one on one.

The following inmates are housed under Administrative Segregation guidelines, but are categorized as Maximum Security Risk individuals.

Behavior Management inmates who are housed apart from the general population alone in single cells. This group has restricted program access, and at times restricted privileges based on their behavior.

Ultra Security is the highest of all security levels and a subgrouping of maximum security. This level encompasses the most sophisticated and dangerous inmates, those who are escape risks (recent history of escape, attempted escape or aiding escape), or those persons charged with a notorious or sensational crime and must be isolated. Ultra security inmates are housed alone at all times. Ultra security inmates are allowed limited individual program access, normal commissary privileges and limited telephone and visiting privileges.

E. CLASSIFICATION CATEGORIES

Classification of prisoners to housing in the King County Correctional Facility will fall into two categories. They are:

A. GENERAL POPULATION

1. Community Program Security (NRF, WER etc.)

2. Minimum Security (Housed on West Wing called Work Release Building)

3. Medium Security

4. Close Security

5. Maximum Security

B. SPECIAL CUSTODY

1. Medical/Psychiatric

2. Administrative Segregation
   a. Ultra Security
   b. Behavior Management
   c. Protective Custody
   d. Legal Segregation

3. Disciplinary Segregation

F. MEDICAL/PSYCHIATRIC

A Special Custody status will be assigned by Classification in conjunction with the medical or psychiatric staff as appropriate.

Inmates may be assigned to other housing if their security level is Close or Maximum, or if a Special Custody need overrides the medical concern.

PSYCHIATRIC HOUSING:

These are inmates who because of their mental incapacity (due to developmental disabilities, psychological problems) cannot get along with others within the general population, or need increased observation and contact with psychiatric staff. They may be victimized, assaultive, or the cause of disharmony.

OR

Suicidal inmates who because of their mental incapacity are currently injuring themselves, or present a high potential for self mutilation or self injury which could lead to death.

MEDICAL HOUSING:

Infirmary Housing is for inmates needing close medical treatment and observation for their medical complaints, alcohol or drug intoxication.

Dormitory Housing on the 7th Floor is for inmates with health or physical problems which can exacerbate if placed in general population (i.e. heart problems, colostomy, prothesis, etc.)

OR

Inmates needing timely medical or special medical diets.

G. ADMINISTRATIVE SEGREGATION

This grouping is defined by those inmates who must be housed in isolation and separate from all other prisoners.

Exception:
Prisoners Administratively segregated for Protective Custody can be housed alone or as a group, depending upon the individual case.

Inmates placed into any Administrative Segregation will have a hearing in accordance with the Administration Segregation hearing guidelines. As a part of this hearing, inmates will be informed of the restriction on privileges and movement.

There are several categories of Administrative Segregation.

ULTRA SECURITY
This the highest security category, and describes the management of maximum security prisoners. Inmates will be assigned this status by a Correction Lieutenant and Classification based on information that the inmate presents an escape risk or risk to the facility and those within it. (i.e. Sabotage group, etc.) Ultra security prisoners will be specifically handled by Jail Operations.

BEHAVIOR MANAGEMENT
Inmates who willfully or continually disregard jail rules or threaten the safety of others, will be placed on Administrative Segregation status.

PROTECTIVE CUSTODY

Inmates who have been victimized by other inmates, who are potential victims, or whose safety is endangered, will be housed in Protective Custody. This may include inmates who:

1. Have undergone physical abuse from other inmates, or have been seriously threatened by other.

2. Have given testimony against another inmate.

3. Are material witnesses.

4. Have informed, or allegedly informed, on another inmate.

5. Are currently or were formerly in Law Enforcement.

6. Charge(s) involving children or sexual assault of children.

7. Charge(s) being sensationalized.

8. Have physical characteristics, personality, or demeanor which renders them vulnerable, such as; effeminacy, dresses in "drag" or clothes of the opposite sex, sex change surgery or hormonal treatment , disfigurement or debilitative features such as colostomy or prothesis.

If an inmate request Protective Custody, the following must be obtained:

1. The specific reason P/C is required.

2. Who they need separation from, including names or physical descriptions, if necessary.

3. Who can confirm this information, and where they can be contacted.

LEGAL

Prisoners may be separated or segregated for the following legal reasons:

1. Separation of co-defendants (upon the request of detectives, prosecutor etc.). Classification must obtain the following:

a. Who is making the request; name, agency and phone number.

b. The reason for the separation.

c. How long the separation will last. If there is no set date the Correctional Program Specialist will contact the requesting party every thirty (30) days to confirm the continuing need for separation.

2. To maintain appearance (i.e. a beard etc.)

3. Because evidence has been swallowed internally.

4. By Court Order and agreement of the Department of Adult Detention. These request must be reasonable and documented.

PHONE DEADLOCK

Inmates are segregated in order to reduce and monitor their usage of the phone. A verbal request from a Law Enforcement agency for phone deadlock status must be followed by a written request from the Prosecuting Attorney's Office explaining the need for phone deadlock status.

H. DISCIPLINARY SEGREGATION

Inmates will be placed into Disciplinary deadlock cells up to ten (10) consecutive days as a sanction imposed from a Disciplinary hearing. Inmates can be placed into Disciplinary deadlock prior to a hearing, if leaving the inmate in his/her location would jeopardize the security or safety of the jail.

While in Disciplinary Segregation, inmates will lose all privileges as outlined in the Disciplinary Hearing section of this manual.

I. CLASSIFICATION PROCEDURE

1. PRIMARY INTERVIEW

A. The Correctional Program Specialist will interview all new inmates within 72 hours of Booking.

B. The Correctional Program Specialist will pick up the Unclassified Inmate print out, Classification files, and face sheet if needed for the interview from the Booking area and return to the Classification conference room opposite "Floor Control" where the primary interview will take place.

C. The floor Corrections Officer will direct the inmates to and from this conference room.

D. Each inmate will be interviewed individually and assigned to residential housing.

E. Classification computer entries will be completed, the security level noted, answers to listed questions noted, bed assignment made and the appropriate documentation done.

F. Inmate's questions will be answered and appropriate referral for those inmates with special custody needs (i.e. medical, psychiatric etc.) be made.

G. The inmate will be informed of his housing assignment and advised of the rules, responsibilities and privileges he/she has while in jail.

H. When all interviews are completed, a transfer list indicating specific his assignments, will be prepared and forwarded to floor control. The assigned location will be entered into the computer terminal by Correctional Program Specialist upon completion of Primary/Initial Classification interview.

DETERMINING SECURITY RISK LEVEL

The Criminal Involvement (FC or MC), Behavior Management risk (MR) score summarize risk to the public, potential for violence in the facility, risk to inmates of aggressive, dominating, coercive and manipulative behavior from other inmates, and the potential for escape.

Tables I through V are used to determine the security risk level from the inmate's Criminal Involvement score and his Behavior Management risk. Criminal Involvement (FC for felons and MC for misdemeanants) is affected by the following factors:

1. Seriousness and violent nature of offense (SO)
2. Detainer Status (DS)
3. Escape History (EH)
4. Incarceration Experience (IE)
5. Conviction History on serious, violent felonies (CH)

The value of the factors -SO, DS, EH, CH, IE determines the Criminal Involvement (FC or MC) score. The tables for finding the Criminal Involvement (FC or MC score were developed separately for felons and misdemeanants. The misdemeanor table presents a less strict standard for determining the criminal and most of the remainder as medium security.

Management risk (MR) is a behavioral factor dependent on cooperative vs problematic behavior in the facility during current and prior incarceration. Table III lists the different levels of the management risk factor, and the type of behavior associated with each. The management risk values relevant at initial classification are noted separately. Most inmates will be given a value of 1 at initial classification, unless there is a demonstration of problem behavior, or unless there is a particularly serious record of management problems from past incarcerations. Changes in behavior following initial classification can result in change in the management risk score either upward or downward.

Criminal involvement and management risk are then combined to determine a security level. This is done according to the summary matrix. A security level score from 1 through 4 is determined from the matrixing of the four possible criminal involvement scores and the five possible management risk scores.

To find the security level:

1. Begin with Table I to determine the Seriousness of the inmate's current offense. (SO)

2. Note the appropriate number, or value 1,2,3,4, as listed at the top of the Table.

3. Note the appropriate number in the space provided. (i.e. SO_____.)

4. Use Table II to determine the Detainer Status (DS), the Escape History (EH), the Conviction History (CH), and the Incarceration Experience (IE). Mark the appropriate number in the space provided for each. (i.e. DS_____,CH_____, IE_____.)

5. Use Table III to determine the Management Risk (MR) score. Mark the appropriate number 1,2, 3, 4, in the space provided, (i.e. MR_____)

6. Use Table IV (if the inmate is a felon) or Table V (if the inmate is a misdemeanants). Work from left to right using the numbers you have noted for SO, DS, AND EH. Work down the Table and follow the arrows across the page. When the appropriate grid is reached, intersect the number for CH with the number of IE to reach the Criminal Involvement (CH) score. Mark this score in the space provided (i.e. FC_____ or MC_____).

7. Using the grid at the bottom of the Table intersect the FC or MC for misdemeanants with the Management Risk (MR) value. The resulting number determines the security level when checked with the key: 1. Minimum, 2. Medium, 3. Close, 4. Maximum.

8. Mark the security level in the space provide.

9. Example:

Inmate is serving time for Minor in Possession. His prior experience is three days in jail for Minor in Possession. Using the list of factors determining the Criminal Involvement (FC or MC) score, and working from left to right on the Misdemeanants Table, the MC score of 1 is reached.

Sec Level

Min SO 1 DS 1 EH 1 CH 1 IE 1 = MC 1

MR 1

Then using the small matrix at the bottom, cross the MC of 1 with the MR of 1 the security level of Minimum is reached.

Inmate is being held on Inv. Homicide. His prior experience is eight days in jail. Working from left to right on the felon table the FC score is @. Using the small matrix at the bottom the security level of MED is reached.

Sec Level

MED SO 3 DS 1 EH 1 CH 1 IE 1 = FC 2

MR 1

Inmate is being held on Inv. Robbery and is also charged with Forgery. His prior experience is approximately 1 year of jail time for Robbery and Theft, plus, he has served 2 terms at Washington State Reformatory for another Robbery and Parole violation.

At primary interview he is evasive, highly manipulative, demanding and gave false information.

Using the same technique and working from the Felon Table, his score and security level are as follows:

Sec Level

CLOSE SO3 DS 1 EH 1 CH 3 IE 3 = FC 3

MR 3

FACTORS DETERMINING THE CRIMINAL INVOLVEMENT SCORE (FO)

Inmates sentenced to prison are treated the same as pretrial inmates on the Seriousness of Offense factor. The SO score shall be lowered when the charge is sentenced to the jail only.

Seriousness/Violent nature of current offense (SO)

4 - Serious, violent felony with notoriety, high publicity.

3 - Pretrial or sentenced to prison on Group A.

2 - Pretrial or sentenced to prison on Group B.
Sentenced to prison on Group C.

1 - Sentenced to King County Correctional Facility on A, B, C, D, or charged awaiting trial on Groups C or D.

GROUP A

All Class A Felonies
Manslaughter 1
Assault 1,2
Escape 1,2
Murder 1,2
Rape 1
Kidnap 1
Arson 1
Burglary 1
Robbery 1
Introducing Contraband 1,2

GROUP B

Rape 2
Rape 3
Statutory Rape
Indecent Liberties
Incest 1
Malicious Harassment
Other Felony Crimes
Felony Possession of Firearms
Kidnaping 2
Assault 3
attempts at A Group Offense
Arson
Robbery 2
Unlawful Imprisonment

GROUP C

Promoting Prostitution 1,2
Violation of Community Supervision Prior to Hearing
Perjury 1
Statutory Rape 3
Forgery
Forgery
Auto Theft
Rendering Criminal Assistance
Incest 2
Vehicular Assault
Vehicular Homicide
Felony Drugs (VUCSA)
Eluding a Police Office
Felony Probation Hold/Community Supervision

Other Felony Property Crimes
Bribery
extortion 1
Forged Prescription
Parole Violation Prior to Hearing
Escape 2, Work Release
Walkaway
Failure to Return (FTR)
Escape 3

Revocation
Theft 1
Theft 2
Possession Stolen Property
Reckless Burning
Burglary 2
State W/R Suspension

GROUP D
All Misdemeanors

TABLE II

FACTORS DETERMINING THE CRIMINAL INVOLVEMENT SCORE (FC) OR (MC)

DETAINER STATUS (DS)

3 - Hold for Out of county jurisdiction on a Group A or B felony (See SO List; U.S. Marshal Hold, U.S. Immigration Hold, Transportation Orders. Note: Transportation Orders are between institutions when destination is not the King County Jail.

2 - All other felony holds for another jurisdiction; outside King County or for any state; State of Washington institutional holds, parole holds, if booked only on an out-of-county misdemeanor hold; fugitive.

NOTE: if person sentenced to jail time on Prob/Parole hold, detainer does not apply.

NOTE: if booked on a Probation detainer, detainer does not apply.

1 - Combination of local charges and a misdemeanor hold or no hold or out-of-county hold on Misdemeanant offense.

ESCAPE HISTORY (EH)

(Juvenile and Adult)

4 - History of escape, attempted escape, or aiding an escape from a secure institution in the past 3 years.

2 - History of walkaway, abscond from an honor farm or minimum security facility in the past 3 years. OR history of escape from a secure institution 3-5 years ago.

1 - Failure to return from furlough,or temporary release. OR no escape or walk-away history.

VIOLENT FELONIES (CH) CONVICTION HISTORY

10 years no reported contact with criminal justice system will reduce the point scores to the next lower point score.

Violent Felonies are group A & B charges.

3 - Multiple convictions

2 - One conviction

1 - No convictions

INCARCERATION EXPERIENCE (IE)

10 years no reported contact with criminal justice system will reduce the point scores to the next lower point score.

3 - Two or more prison terms (in moderate or maximum security Facility).

2 - Maximum of one prison term (i.e. WCC, WSR, WSP, GREENHILL)

1 - Maximum experience to include: hospitals, honor farms, jails, juvenile.

SUMMATION OF CRIMINAL FACTOR SCORES

SO	DS	EH	CH	IE	=	FC/MC
___	___	___	___	___		___

TABLE III
DETERMINING THE MANAGEMENT RISK

RELEVANT AT INITIAL CLASSIFICATION AND FOR ONGOING BEHAVIOR

5- Has demonstrated serious, damaging or injurious behavior or hostile, aggressive acting out since entering the facility, or has a record of behavior management due to disruptive behavior in the last 6 months of incarceration. (If recent prison release, send for Classification Records.)

4 - Has introduced weapons into any facility. Has demonstrated belligerent, verbal behavior since entering the facility, or has a prior record of behavior management segregation due to disruptive behavior in the last one year of incarceration.. (If recent prison release, send for Classification records.)

3 - Implies threats; or has threatening behavior; manipulation through intimidation, evasive, withholding information; criminal background appears extensive, and requires further checking; has prior record of 6 or more significant rule violations within last 2 years; or of introducing contraband (not consisting of a dangerous weapon.)

2 - Does not indicate acceptance of jail rules and procedures; has demonstrated a compatibility problem; flippant and rude. Seeks personal favors; attempts to fraternize - friendly manipulations.

1 - Cooperative. Accepts circumstances without complaint. Seeks no personal favors.

APPLIES TO ONGOING BEHAVIOR:

5 - Demonstrates ongoing hostility or aggression; acts out physically. Presents serious management problems.

4 - Dominating, threatening; multiple serious rule infractions; does not get along with others; reclassed on an ongoing basis in multiple setting; disruptive.

3 - Serious rule infraction; has problems getting along with others, has problematic personal habits of demeanor; intimidating.

2 - Multiple general rule violations; has demonstrated uncooperative behavior; presents compatibility problems.

1 - Has been cooperative; or has a single minor/general rule infraction

TABLE IV

Criminal Involvement Score for Felons

1. Key: SO DS EH CH IE = FC

2. Note: If factor column is blank, then that particular factor does not affect the FC.

SO	DS	EH	CH	IE	= Criminal Involvement Score
4					FC 4
3		4			FC 4
3	3				FC 3
3	2-1	2	3	3	FC 4
3	2-1	2	3	2-1	FC 3
3	2-1	2	2	3-2	FC 3
3	2-1	2	2	1	FC 2
3	2-1	2	1	3	FC 3
3	2-1	2	1	2-1	FC 2
3	2-1	1	3		FC 3
3	2-1	1	2	3-2	FC 3
3	2-1	1	2	1	FC 2
3	2-1	1	1	3	FC 3
3	2-1	1	1	2-1	FC 2
2		4			FC 4
2	3				FC 3
2	2-1	2-1	3	3-2	FC 3
2	2-1	2-1	3	1	FC 2
2	2-1	2-1	2	3	FC 3
2	2-1	2-1	2	2-1	FC 2
2	2-1	2-1	1	3	FC 3
2	2-1	2-1	1	2-1	FC 2
1		4			FC 4
1	3				FC 3
1	2	2	3	3-2	FC 3
1	2	2	3	1	FC 2
1	2	2	2	3	FC 3
1	2	2	2	2-1	FC 2
1	2	2	1	3	FC 3
1	2	2	1	2-1	FC 2
1	2	1	3	3	FC 3
1	2	1	3	2-1	FC 2
1	2	1	2	3	FC 3
1	2	1	2	2-1	FC 2
1	2	1	1		FC 2
1	1	2	3	3-2	FC 3
1	1	2	3	1	FC 2
1	1	2	2	3	FC 3
1	1	2	2	2-1	FC 2
1	1	2	1	3	FC 3
1	1	2	1	2-1	FC 2
1	1	1	3	3	FC 3
1	1	1	3	2-1	FC 2
1	1	1	2	3	FC 3
1	1	1	2	2	FC 2
1	1	1	2	1	FC 1
1	1	1	1		FC 1

TABLE V

Criminal Involvement Score for Misdemeanants

1. Key: EH DS CH IE = MC

EH	DS	CH	IE	MC
4	3-2-1	3	3-2	4*
4	3-2-1	3	1	3
4	3-2-1	2	3	4*
4	3-2-1	2	2	3
4	3-2-1	2	1	2
4	3-2-1	1	3	4
4	3-2-1	1	2-1	2
2	3-2-1	3	3	3
2	3-2-1	3	2-1	2
2	3-2-1	2	3	3
2	3-2-1	2	2-1	2
2	3-2-1	1	3-2-1	2
1	3	3-2-1	3-2-1	3
1	2	3-2-1	3-2-1	2
1	1	3	3	3
1	1	3	2-1	2
1	1	2	3	3
1	1	2	2	2
1	1	2	1	1
1	1	1	3-2	2
1	1	1	1	1

Table V

Criminal Involvement Score for Misdemeanants

(Work left to right)

...ous/Violent ...ure of Offense	Detainer Status	Escape History				Factors c Criminal Involveme Score (FC
1	3	4 →				3
		2 →				3
		1 →				3
	2, 1 →	4	IE 3	IE 2	IE 1	
			CH 3	4	4	3
			CH 2	4	3	2 →
			CH 1	4	2	2
	2, 1 →	2	IE 3	IE 2	IE 1	
			CH 3	3	2	2
			CH 2	3	2	2 →
			CH 1	2	2	2
	2 →	1 →				2
	1 →	1 →	IE 3	IE 2	IE 1	
			CH 3	3	2	2
			CH 2	3	2	1 →
			CH 1	2	2	1

SECURITY LEVEL SCORE FOR MISDEMEANANTS

	M_1^R	M_2^R	M_3^R	M_4^R	M_5^R
MC1	1	1	2	3	4
MC2	1	1	2	3	4
MC3	2	2	2	3	4
MC4	2	3	3	3	4
MC4*	3	3	4	4	4

Key:

1 - Minimum
2 - Medium
3 - Close
4 - Maximum

MC4* Means that serious escape risk was a factor in the C4 rating.

CONFIDENTIAL

FACILITY CLASSIFICATION PLAN

NORTH WING		EAST WING			SOUTH WING			
B (9)(18)	C(10)(20)	A (5)(10)	B (9)(18)	C(10)(20)	A(11)(22)	B(12)(24)	C(12)(24)	D(11)(22)
AD. SEG. PRE DISCIPLINE	AD. SEG. PRE DISCIPLINE	AD. SEG. PRE DISCIPLINE	AD. SEG. PRE DISCIPLINE	AD. SEG. PRE DISCIPLINE	NO SOUTH DORM ON 11TH FLOOR			
AD. SEG. PROTECTIVE CUSTODY	AD. SEG. PROTECTIVE CUSTODY	AD. SEG. PRE DISCIPLINE	POST DISCIPLINE HEARING	POST DISCIPLINE HEARING				
CLOSE SECURITY 35+	CLOSE SECURITY 27 - 34	MALE FLOOR WORKERS	CLOSE SECURITY 21 - 27	CLOSE SECURITY 24 - 34	UNCLASSIFIED MALE FELON			
CLOSE SECURITY 21 - 27	CLOSE SECURITY 34+	CLOSE SECURITY 21 - 27	CLOSE SECURITY 27+	CLOSE SECURITY 21 - 27	UNCLASSIFIED MALE FELON			
UNCLASSIFIED FEMALE MISDEMEANANT		FEMALE FLOOR WORKERS	FEMALE MINIMUM 16 - 27	FEMALE MINIMUM 27+	UNCLASSIFIED MALE MISDEMEANANT			
AD. SEG. PRE DISCIPLINE	UNCLASS FEMALE FELON	CLOSE SECURITY FEMALE	FEMALE MEDIUM FEMALE	FEMALE MINIMUM 27+	UNCLASSIFIED MALE MISDEMEANANT			
MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 21 -34	MEDIUM SECURITY 27+	MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 34+	MEDIUM SECURITY 27 - 34	MEDIUM SECURITY 34+
MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 21 - 27	MEDIUM SECURITY 27 - 34	INMATE WORKERS	MEDIUM SECURITY 45+	MEDIUM SECURITY 34+	MEDIUM SECURITY 28 - 34	MINIMUM SECURITY 21 - 27
FEMALE PSYCH GROUP	MALE PSYCH GROUP	MALE FLOOR WORKERS	MEDIUM SECURITY 34+	MEDIUM SECURITY 27+	DEVELOP MENTAL DISABLED	PSYCH OVERFLOW	INDIVIDUAL RAZOR MEDICAL	PSYCH OVERFLOW
SUICIDE OBSERV PSYCH	FEMALE/MAL PSYCH/DL RESTRAINT	I M U	MEDIUM SECURITY 21-34	MEDIUM SECURITY 21-34	MEDICAL PROBLEM	MEDICAL PROBLEM	MEDICAL PROB./ DIABETIC	PSYCH STABLE OVERFLOW
E FEMALE MEDICAL 1	C FEMALE MEDICAL 2	D MALE MEDICAL 2	E MALE MEDICAL (CAP. 6) 4	F ISOLATION 1	G ISOLATION 1			
I ISOLATION 1	J MALE DETOX (CAP. 8) 4	K MALE DETOX (CAP. 8) 4	L MALE MEDICAL OVERFLOW 2	M MALE MEDICAL WORKERS 2				
B MINIMUM SECURITY 15	C MINIMUM SECURITY 15	D MINIMUM SECURITY 15	E MINIMUM SECURITY 15	F MINIMUM SECURITY 15	G MINIMUM SECURITY 21			
B MINIMUM SECURITY 20	C MINIMUM SECURITY 18	D FLOOR WORKERS 21	E LAUNDRY CREW 17	F FLOOR RUNNERS 18	19	A MORNING KITCHEN CREW 14	B EVENING KITCHEN CREW 18	C BACKUP KITCHEN CREW 1

* CELL A-5 HAS NO TOILET
DOUBLE BUNKING
REVISED 07/03/89

CLASSIFICATION STAFFING

The Classification staffing schedule is based on several premises:

1. The limitations of access to computer terminals, inmates, and the need for privacy for interviews.

2. Duties, when clearly defined, improve work efficiency; therefore tasks are divided into Primary Classification, Floor Management, Disciplinaries and Ad. Seg. Hearings, as much as possible, given staffing resources.

3. An attempt to initiate consistent start hours and days for employees performing each task (above); that minimizes down time when the jail is frozen.

4. Because the number of incidents have increased on second shift, the effort is made to increase presence on second shift. Given more resources we hope to expand presence on third shift and West Wing.

5. The concept that maximum presence on housing floors for floor management is important for inmate - staff interaction.

6. The floor managers will work the most days of the week for presence and inmate management on the housing floors. The persons performing interviews and hearings can work a more flexible schedule. Due to the different nature to the work, this will allow for a four day work week to be considered.or

This is a tentative proposal based on the fact that there is not currently staff working in the West Wing from Classification in order to provide a sense of workload needs there. Also since there is not an efficient use of resources and terminal access at this time it is difficult to project the staffing needs on the housing floors addressed in this schedule.

Inmate population increases, behaviors and policy changes as well as resources may change this attached staffing plan.

CURRENT POSITIONS (8/8/89) APPLIED TO WORK SCHEDULE

7TH FLOOR:	DUTIES	HOURS	WORK DAYS
	FLOOR MANAGER	0630 - 1400	MON. - FRI.
	PRIMARIES/FL. MGR.	1430 - 0030 (CO)	SUN. - WED.
	PRIMARIES/FL. MGR.	1430 - 2345	WED. - SAT.
8TH FLOOR:			
	FLOOR MANAGER	0630 - 1400	MON. - FRI.
	FLOOR MANAGER	1430 - 2200	MON. - FRI.
9TH FLOOR:			
	FLOOR MANAGER	1430 - 2200	MON. - FRI.
	PRIMARIES	0630 - **	
	PRIMARIES	0630 - **	
	PRIMARIES	0630 - **	
	PRIMARIES	0630 - **	
10TH FLOOR:			
FLOOR MANAGER/PRIMARIES		0630 - 1400	MON. - FRI.
FLOOR MANAGER/PRIMARIES		1430 - 2200	MON. - FRI.
	PRIMARIES	2300 - 0630	SUN. - THURS.
11TH FLOOR:			
DISCIPLINARY AND AD.SEG.		1430 - 2200	SUN. - WED.
DISCIPLINARY AND AD.SEG.		1430 - 2200	WED. - SAT.
WEST WING:			
	FLOOR MANAGER	1430 - 2200	TUES.- SAT.

** SEE ATTACHED OPTIONS
* AND DUTIES AS ASSIGNED

APPENDIX 16

King County Executive
TIM HILL

400 King County Courthouse
516 Third Avenue
Seattle, Washington 98104
(206) 296-4040

March 30, 1990

The Honorable Lois North
Chair, King County Council
402 King County Courthouse
Seattle, WA 98104

Dear Councilmember North:

I am writing to provide you my recommendation of the number of prisoners King County must plan to accommodate by the year 2010. Under separate cover, I am also forwarding a schedule which provides for a 1993 activation of a new long-term correctional facility.

On March 14, 1990, I forwarded to the Council my preference for siting the interim facility. Activation of that facility will require considerable cooperation and hard work. I remain fully committed to a reasonable and responsible process associated with the interim facility. This includes a full and complete environmental impact statement, the provision of appropriate mitigation to the community in which the facility is located, a commitment to the community that the interim facility will be closed upon activation of the long-term facility, and fostering a spirit of regional cooperation. In order to provide an ongoing opportunity to share information with and address concerns of local citizens, we will also be forming a Community Relations Board in the locality of the interim facility.

There can be no question as to the urgency in providing additional interim capacity. I again urge the Council to take prompt action on recommendations for interim housing as I forward them to you. Despite the controversy and difficult decisions I had regarding interim housing, we must remember that, in the big picture view of the situation, we must focus our efforts on the provision of additional long-term capacity. My aforementioned work plan outlines the steps necessary in order to activate the long-term facility in 1993. There are a number of public policy decisions which must be made in order to realize this goal. No doubt this is an optimistic schedule. I believe, however, that whether we can activate this facility in 1993 is less an issue of technical ability, legal constraint, or limitation of skill, than it is of public policy will. We owe it to the citizens of King County to move ahead aggressively on the activation of the long-term correctional facility.

The first major step in moving ahead on this facility is adopting, for planning purposes, the number of prisoners we will need to accommodate in the outyears. Based on the Department of Adult Detention's analysis of the nationally recognized consultant's population forecast, with a consensus endorsement from the Jail Oversight Committee, I recommend that King County adopt 1745 as the planning number that all future correctional capacity and

programming should be based upon. I believe this number, together with an appropriate site(s) and building design, will put King County - for the first time ever - in a position that assures we have the correctional capacity necessary to complement our public safety objectives and maintain the integrity of our criminal justice system. Outlined briefly below is the process and justification for my recommended planning number.

Background

Pursuant to my direction and the Council adopted Scope of Work, DAD contracted with Jack O'Connell to provide King County with a population forecast through the year 2010. Mr. O'Connell is respected both locally and nationally for his work in forecasting jail and prison populations. He is currently the Director of the State of Delaware's Statistical Analysis Center and is a Past President of the National Criminal Justice Statistical Association. He is credited with pioneering the "Components of Change" forecast methodology which is designed to analyze and measure the impact of public policy on jail populations.

Mr. O'Connell's components of change model takes into account the independent influence of the many causes of a changing jail population by factoring in over two dozen assumptions developed by local criminal justice officials. Each of the assumptions was based on an analysis of actual historical data, projected trends and operational objectives within the local criminal justice system.

The data utilized in this analysis and forecast represents the most complete set of information ever compiled for local jail planning and includes data from DAD, Puget Sound Council of Governments, State Office of Financial Management, Seattle Police Department, King County Department of Public Safety and the Washington State Association of Sheriffs and Police Chiefs. The process utilized for this critical step of jail planning was objective, rational and provides us with a solid base for determining future capacity requirements.

Forecast Results/Recommendations:

Mr. O'Connell's report suggests that King County will have nearly 2900 prisoners by the year 2010. It is important to note that this is not a prediction, but rather a projection based upon specific assumptions associated with policy variables and demographic pressures. The Assumption Setting team elected to limit the duration of the trend lines for nearly all of the assumptions to only three years. By not setting specific assumptions beyond three years, the forecast model incorporates the implicit assumption that policy variables affecting jail population will have a stabilizing influence and that demographic trends alone are responsible for jail population changes beyond 1992.

While I believe it was responsible for the assumption setting team to initially be conservative in its assessment of future trends when

establishing the model's policy assumptions, I do not believe it is realistic to assume that there will be no public policy impact to raise the jail population beyond 1992. I am personally committed to tougher law enforcement and am convinced that current efforts to improve the criminal justice system will continue to add to our jail population. The public's mandate to get tough on crime has led to several recent changes in public policy that likely will contribute to increasing jail populations including additional police officers, lap top computers in squad cars, the Automated Fingerprint Information System (AFIS) and new legislative proposals. King County's commitment to work towards the development of a new regional law enforcement criminal information system is another example of public policy that could well impact jail population.

Accordingly, I believe King County should adopt 1745 as the planning number as it reflects the assumption that there will be public policy impacts on future jail populations. The process utilized to identify this number is outlined briefly below.

First, staff have recommended that the 17.6 (17.6 per 10,000 population) incarceration rate forecast for 1992 be utilized as a "surrogate" measure of future public policy impact and be held constant through the year 2010. When this rate is applied to the estimated county population for the year 2010, the base number totals 3353. Staff have also recommended that King County plan to accommodate peak populations; plan only for the number of prisoners above the rated capacity of the existing facility; assume the loss of some municipal jail beds currently available; assume at least 50 prisoners will continue to be assigned to Electronic Home Detention; and assume that King County will continue the bed exchange program with the State Department of Corrections. The relationship of these assumptions to one another is outlined below:

Total Projected Prisoner Population 2010 and 2000

2010		2000
3353	Forecasted Population with Public Policy Impact	2988
(1623)	Rated Capacity - existing King County Correctional Facility	(1623)
1730		1365
70	Lost Municipal Beds	-
1800		1365
25	Vacancy Beds	25
1825		1390
(50)	Electronic Home Detention	(50)
1775		1340
(30)	Contract Bed Exchange	(30)
1745	Total	1310

Despite the fact that the assumptions incorporated into the forecast model tend to be rather conservative, I believe the proposed 1745 planning number represents an appropriate and responsible figure to base all subsequent capacity and program option decisions upon. I take this position principally because the county should plan to construct new correctional capacity in phases.

Preliminary planning calls for the activation of the first phase of new capacity in 1993. I believe this first phase should be designed to accommodate 1310 inmates which is the projected population through the year 2000. Staff will monitor population trends annually and are scheduled tentatively to develop a planning number for a second phase in 1996.

This approach will provide the County with a great degree of flexibility and the means to accommodate unanticipated trends or shifts in the population. While I believe future prisoner populations may well require the construction of an additional 435 (1310 + 435 = 1745) beds, I will continue to direct DAD staff to work with all other appropriate parties to pursue the development of cost effective non capital program options as well.

I urge you and other Councilmembers to adopt the attached motion identifying 1745 as King County's new correctional facility planning number. Using this number and a phased, flexible approach to facility design and construction, I believe we can meet the public safety requirements of King County. If you have questions, please contact me or Steve Schwalb, Director, Department of Adult Detention at 296-1268.

Sincerely,

Tim Hill
King County Executive

TH:ST:ps

cc: King County Councilmembers
ATTN: Cal Hoggard, Program Director
Jerry Peterson, Administrator
Bob Thomas, Council Staff
Steve Schwalb, Director, Department of Adult Detention
Pat Steel, Chief Financial Officer
Jesus Sanchez, Director, Department of Executive Administration

MOTION NO._____

A MOTION adopting a planning number for developing additional correctional capacity and program space associated with the proposed new correctional facility.

WHEREAS, Motion No. 7342 approved a Scope of Work for developing a master plan for a new correctional facility, and

WHEREAS, The approved Scope of Work requires a program and facility plan to be developed, and

WHEREAS, such plans must be based on the estimated future prisoner population, and

WHEREAS, the Department of Adult Detention contracted with a consultant to forecast the prisoner population through the year 2010, and

WHEREAS, the Department of Adult Detention in concert with the consultant and Jail Oversight Committee further assessed the need for additional capacity and program space, and

WHEREAS, the results of this process produced a planning number of 1745 inmates;

NOW, THEREFORE, BE IT MOVED by the Council of King County:

The planning number of 1745 inmates is adopted as the figure for all future correctional capacity and program planning.

FURTHER, that King County continue to aggressively pursue and develo additional non capital population management programs and initiatives.

PASSED this _____ day of _____, 1990.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

_____
Chair

ATTEST:

_____
Clerk of the Council

KING COUNTY JAIL POPULATION FORECAST
1989 TO 2010

DEPARTMENT OF ADULT DETENTION
KING COUNTY, WASHINGTON
JANUARY, 1990

PREPARED BY:
JOHN (JACK) P. O'CONNELL JR.
SMYRNA, DELAWARE 19977

Prepared under Contract No. P01675P by Jack P. O'Connell. Points of view or opinions stated in this document are those of the author and do not necessarily represent the offical position of the King County Department of Adult Detention.

KING COUNTY JAIL POPULATION FORECAST

EXECUTIVE SUMMARY

This study was commissioned by the King County Department of Adult Detention for the purpose of preparing a jail population forecast and a profile of prisoners that could objectively be used to make decisions associated with facility design, siting, and jail related programs.

The methodology used for the population forecast is a "components of change" forecasting methodology that takes into account the independent influence of the many variables that impact jail population, including: demographic patterns, crime patterns, booking rates, and length of stay patterns for six separate jail statuses. King County officials developed over two dozen assumptions associated with the different components of change, which were then factored into the forecast model.

If these assumptions hold, nearly 600 additional prisoners will be added to the average daily population by 1991, over 800 by 1994 and approximately 1000 by 2010. By 1994, the total forecasted jail population will be 2755 and by 2010, it will be 2882. The greatest contributor to this growing prisoner population is the rapidly increasing number of offenders charged with violent, serious property, and drug crimes since 1983.

A major finding of this study is the emergence of the decentralization of crime and the shifting geographical distributions of bookings. The decentralization of crime patterns and bookings will follow the suburbanization of the county's population. This shift will continue to become more evident as the larger suburban centers become more urban and the rural areas become more suburban. Currently, Seattle is the major center of regional crime and bookings. Of special interest is the southern area of the county, which is growing faster and showing increased patterns of criminal activity.

Decision makers are cautioned to note that this forecast is not a prediction, but rather a projection based upon assumptions associated with policy variables and demographic pressures. County officials elected to limit the duration of the trend lines for nearly all of the assumptions to only three years. By not setting specific assumptions beyond three years, the forecast model incorporates the implicit assumption that policy variables affecting jail population will have a stabilizing influence and that demographic trends alone are responsible for jail population changes beyond 1992.

Even so, the explicit assumptions incorporated into the model represent what the Forecast Assumption Setting Team could

reasonably foresee. Not included are legislative proposals currently under discussion, the impacts of which are uncertain, e.g., predatory sex offender legislation, a proposal to decrease the age of majority, and recriminalization of drinking in public. In this legislative environment, it can be expected that proposals will continue to surface that, if enacted, could incrementally impact jail population. In addition, the impact of some new legislation already enacted was not specifically included in the forecast but was, instead, highlighted as a focus for future review. These include the Community Placement Bill of 1988, the Omnibus Drug/Alcohol Bill of 1989, and goodtime eligibility reductions passed in 1989. Consequently, this forecast should be viewed as conservative with respect to the number of prisoners King County will have to accommodate by the year 2010.

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INTRODUCTION
King County Jail Forecast
1989 to 2010

This study was commissioned by the King County Department of Adult Detention for the purpose of preparing a jail population forecast and a profile of prisoners that could objectively be used to make decisions associated with facility design, siting, and jail related programs. The study is one component of the Master Planning now underway to develop new jail capacity and programmatic solutions for current and future jail populations. As with any attempt to look into the future this forecast cannot be any more correct than the assumptions used to make the forecast. It should suffice to say that this is a forecast not a prediction.

This report provides a jail population forecast for King County for the years 1989 to 2010. The forecast consists of six subpopulation forecasts. These subpopulations include: (1) presentenced felons, (2) sentenced felons, (3) presentenced misdemeanors, (4) sentenced misdemeanors, (5) state holds, and (6) other holds. Hereafter, these subpopulations are referred to as the six JAIL STATUSES. Except for the section reporting the full jail forecast, most of the discussion in the report is specifically related to each of the jail statuses.

Each of the jail statuses represents a separate criminal justice system process. For instance, presentenced felons -- compared to presentenced misdemeanants -- are often processed through different courts, are scrutinized more intensely before they are released on bail/bond/own recognizance before trial, spend about four times as long in detention, and, if convicted they are more likely to receive a term of incarceration as part of their sentence. In a forecast these separate processes produce significantly different admission, release, and length of stay patterns. By using the six separate jail statuses, changes in the different criminal justice processes may be independently examined and the impact on the forecast assumptions assessed.

In addition to the jail forecast, two other topics are discussed in this report. First, jail population profiles are developed for factors such as age, race, gender, and crime at booking. This information not only provides useful descriptive material relating to the jail's population and programs, it also was used as background material for establishing the forecast assumptions.

Second, changes in population growth, reported crime and booking patterns are compared for Seattle and five other regions of King County. This information, using conservative projections, delineates the rate of decentralization of the county's population, crime and jail admissions. For the first time, decision makers can assess the significance of these shifts in

riminal justice indicators as they relate to the issues of jail siting and program planning.

This report summarizes the work completed to comply with the scope of the study. Section I outlines the forecast methodology and how the data were collected from the department's records. Section II reviews recent history in terms of jail population growth, presents a forecast of future populations through the year 2010, and notes the differences between the department's rated capacity and forecasted jail population. Section III provides a review of the components of change as they apply to the jail population forecast including: discussion on crime patterns, demographic patterns, admission rates (bookings) and length of stay trends. Section IV summarizes the forecast assumptions. Section V provides a detailed examination of the different facets or profiles of the jail population. Section VI examines shifts in regional patterns of population, reported crime and booking (arrest) patterns. The final chapter summarizes the major findings of the study.

SECTION I
Forecast Methodology

Most jail population forecasts use some sort of linear or mathematical projection of historical jail populations. While this may be an inexpensive method of examining the future trend of a jail's population, it actually says very little about the causes or reasons of change for the jail population. The main assumption of linear projections is -- what has gone on in the past will continue to happen in the future. Such a projection is simply a reflection of yesterday and says nothing about "why" the population is changing.

The methodology used for this population forecast is a component of change forecasting model that takes into account the independent influence of the many causes of a changing jail population. For instance, King County is a rapidly growing area. However, the size of the age group most likely to be booked or sentenced to jail -- young males -- is not changing at the same rate as the county's total population. In fact, as the county's general population, the jail population and the number of bookings increase, the young male age group is getting smaller. While this complex situation cannot be analyzed with linear regression, the component of change methodology allows this demographic pattern to be examined both independently and in relationship with other causal variables.

In addition to the changing demographic patterns in King County, the application of the components of change forecast methodology provides a separate assessment and application of booking rates and length of stay patterns for six different jail subpopulations. In this forecast these subpopulations are called jail statuses. Specifically, the booking patterns are turned into booking rates (i.e., the number of bookings divided by the number of persons at risk in one of five demographic subpopulations) which are then multiplied by the expected length of stay for each of the separate jail statuses. These six jail status forecasts each have up to five separate demographic/ booking rate/length of stay forecasts. These thirty independent forecasts are then summed to provide the total jail population forecast. The advantage of the these subforecasts, is that they provide specific knowledge about the many detailed facets of the jail population and allow for specific forecast assumptions.

The forecast assumptions were not established by the consultant, but rather by the King County Jail Population Assumption Setting Team. The Assumption Setting Team reviewed the background material relating to each of the components of change for each of the jail statuses and established the assumptions used in this forecast. The assumptions are reported in the Section IV entitled FORECAST ASSUMPTIONS.

The eight city, county and state officials who participated in the Population Assumption Setting Team were:

Steve Schwalb, Director of Adult Detention (Chair);

Bob Laznik, Chief of Staff, King County Prosecutor's Office;

Mike Nault, Captain, King County Police;

Dave Grayson, Assistant Chief, Seattle Police Department;

The Honorable Jerome Johnson, King County Superior Court Judge;

The Honorable Peter Jarvis, Presiding Judge, King County District Court;

Bill Stough, Community Corrections Manager, Washington State Department of Corrections -- Division of Community Corrections;

Larry Brubaker, King County Council Staff.

SECTION I
Forecast Methodology
Data Sources

Data for the jail population forecast and profiles were provided by the King County Department of Adult Detention. It should be noted that the Department of Adult Detention maintains more information relating to jail populations than most other counties in the nation. This wealth of information is the basic reason that an effective components of change model and detailed jail profile information are able to be presented in this report.

The data from the King County Department of Adult Detention relating to the jail forecast and jail population profile were organized into two different formats. The first format can be called the MONTHLY DATA and the second is called QUARTERLY SAMPLE DATA.

One source of the MONTHLY DATA was the routine working documents from the Department of Adult Detention that show the daily jail population by admission codes. From these documents it was possible to develop a data base showing the population for each of the six jail statuses. End of each month populations were recorded for each jail status from January 1983 to July 1989.

End of month jail populations are used as the measure of the jail population in any given month. The advantage of the end of month jail population (compared to an average monthly figure) is that it allows for accurate calculations for admission and length of stay which are necessary parts of the components of change population projection. Moreover, using the end of month population provides a self audit that checks the quality of the historical information and maintains the validity of forecast calculations.

Another source of MONTHLY DATA came from special computer outputs showing admission by reason for booking and gender. From these computer outputs it was possible to develop a data base showing the admissions to jail by jail status and gender for each month between January 1983 and July 1989.

The second source of jail population information is called QUARTERLY SAMPLE DATA. The more detailed information relating to such topics as the type of crime at booking, jail admissions and jail populations by age, gender, offender residence, zip code, and race were collected via a quarterly sample from 1983 to second quarter 1989 (providing a 26 point time series). The sampling procedure used to collect this detailed specific information required that information be obtained for all persons in jail or booked into jail during the second week of January, April, July, and October of each year. Using the second week of the month allowed for major holidays to be avoided, which means

hat "normal" jail routines rather than extraordinary situations are the basis of jail profile information. Using four months of the year ensures that the seasonal patterns are maintained.

Total population information is always preferable to sample information. However the large volume of data that would have been generated for the detailed profile information, made the use of total population information for this study prohibitive in terms of time and resources available.

Demographic data were acquired from the Puget Sound Council of Governments and the state Office of Financial Management. The Puget Sound Council June 1988 population projections were used for the regional criminal justice regions created in this report and for the total county. The proportional distribution for gender and age were derived from the Office of Financial Management documents and applied to the total population figures acquired from the Puget Sound Council of Governments, to create the criminal justice "at risk" groups used in the report. Specifically, five gender/age groups are used in the jail forecast. These are males 18 to 20 years old, 20 to 30 years old, 30 to 40 years old and 40 years old and older. In addition females age 20 to 40 years old are used as an at risk group.

Reported crime was obtained from the Seattle Police Department, the King County Department of Public Safety, and the Washington State Association of Sheriffs and Police Chiefs. These data were sorted into each of the five King County criminal justice regions and totals were calculated for the eight Index crimes -- Homicide, Rape, Robbery, Aggravated Assault, Burglary, Larceny, Auto Theft, and Arson. The year 1975 was used as the base year for comparison for reported crime. Annual data were then calculated for each year between 1980 and 1988 for each criminal justice region.

SECTION II
King County Jail Forecast
Recent History: January 1983 to July 1989

This study uses a review of recent King County jail population history and associated criminal justice system trends to contribute to the understanding of jail population growth. This was one source of background information utilized in the forecast assumption-setting process. Historical end of month population counts by jail status by quarter from January 1983 to April 1989 are shown in the table titled: King County Jail Population by Jail Status by Quarter 1983 - 1989. The figures show overall trends in total jail population as well as the historical pattern for each jail status group.

Stability: 1983 to Mid-1984 In January 1983, the total end of month King County Jail population was 1169. Following this, fairly stable levels were maintained to mid-1984, with end of month counts remaining in the 1022 to 1087 range.

One reason for the stable population levels during the 1983-1984 period was that King County was experiencing its lowest crime period since the mid 1970's. The limited capacity of the old jail may have contributed to the stability, as attention was turned to limiting crowding until the new jail, then under construction, opened. Some signs of a trade-off among the status groups is evident. An increase in presentence felons occurred during this period which followed an increase in violent crime rates. A decrease in sentenced misdemeanants during the first half of 1983 offset the felony trend, and a relative balance was maintained.

Moderate Growth: Mid-1984 - Mid-1985 During the latter part of 1984, growth in the jail population occurred, and these new higher levels were maintained until the latter part of 1985. In October 1984, population reached 1180, an increase of 93 over the prior quarter's count.

All status groups except sentenced felons contributed to the increase of this period. The implementation of the Sentencing Reform Act (SRA) began to be felt in early 1985 and was undoubtedly a factor in these trends. The sentenced felon population decreased, corresponding to a decrease in length of stay for this group which began by the beginning of 1985. On average, the length of stay for sentenced felons was reduced from 70 days prior to 1985 to about 35 days after 1986.

The decreasing length of stay was affected by several factors in addition to shorter sentences for new convictions. Over time, jail sentences for noncompliance with community supervision are present in increasing numbers in this group, which are limited to 60 days per violation. This is in contrast to jail penalties for

probation violations under indeterminate sentencing which could go as high as one year. Another factor in reducing felony sentence length of stay was the statutory requirement that time served presentence and prehearing for noncompliance cases be credited against the imposed sentence term.

While the decrease in sentenced felons helped to stabilize the overall increasing population trend, it was offset by increases in other status groups. Presentenced felons continue to rise during this period, a trend which continued into 1989. In July 1984, presentenced felons numbered 265. A year later, they had increased to 336.

The increase in presentenced felons is due to several likely factors. Procedural delays as offenders and prosecutors worked under the new Sentencing Reform Act increased length of stay for some presentenced felons. Prosecutors faced delays in obtaining criminal history and therefore presentence reports took longer to complete. During this period the average length of stay for presentenced felons started to increase from about 15 to 20 days. Also during this period the number of reported violent and property crimes were increasing, which was reflected in the increased number of bookings.

The misdemeanant population also increased during this period, another trend offsetting the sentenced felon decrease. From July 1984 to July 1985, misdemeanants increased by almost 100 persons. The impact of the new domestic violence legislation can be seen during this period. The mandatory arrest provisions of this law, which became effective September 1984, increased misdemeanant arrests and bookings. These offenders were subsequently sentenced and their numbers could then be felt in the sentenced misdemeanant group.

The pressure from newly enacted mandatory laws for domestic violence and possibly the anticipation of the opening of the new jail caused the population to exceed limited capacity. The opening of the new jail was originally scheduled for July 1984. A series of technical and legal difficulties delayed the opening of the new jail for about a year and a half. It finally opened for full occupancy in January 1986.

<u>Accelerated Growth: Mid-1985 - 1987</u> Beginning in the latter half of 1985, a period of accelerated growth began. Jail population increased steadily throughout 1986, reaching then record levels. In July 1985, total population was 1197. By October, it was 1267. In January of 1986, it had increased to 1343, by October of that year, it was 1442, and by January of 1987, total population was 1504. In a year and a half, the total jail population increased by 250-300 persons or approximately 25 percent.

The population growth occurred among presentenced felons, misdemeanants, and state holds. While sentenced felons remained

fairly stable, the presentenced felons experienced dramatic growth, going from 336 in July 1985 to 506 in January 1987. This growth represents continuation of the impact of sentencing reform, accompanied by the impact of increased felony arrests and bookings. The start of 1986 saw the beginning of significant growth in presentenced felony bookings, influenced heavily by increases in violent and serious property crime. This period also saw the beginning of major increases in illicit drug arrests which continued into 1989. Presentenced felony bookings went from less than 600 per month at the beginning of 1986 to over 1000 per month by mid-1989.

Misdemeanant populations also continued to rise during this period. Both the presentenced and sentenced populations were affected. A variety of factors are probably responsible including increased patterns of theft and Part II crimes since 1983, increased bookings, continuation of the effect of new domestic violence legislation, and increased numbers of misdemeanant sentences.

The state hold population grew during this period as well, somewhat in contrast to expectations of the effect of sentencing reform. By January 1987, state holds numbered 201 compared to 167 in mid 1985. Parolees held for a hearing under the indeterminate sentencing system did not decrease right away as initially expected. Accelerated releases of inmates from state prisons occurred as state officials moved toward compliance with new case law which established indeterminate inmates' rights to a consideration of a minimum term comparable to sentences being received under SRA. The pool of parolees in the community increased and the number of violators brought to jail stayed high.

Other subpopulations in the state hold category are probation violators under indeterminate sentencing and community supervision (noncompliance) violators under SRA. The number of noncompliance cases began to increase, often with fairly significant lengths of stay while awaiting a court hearing. Probation violators, however, did not decrease sufficiently to offset this trend.

Corresponding to the increase in felony arrests, bookings, and convictions during this period was an increase in felons awaiting transfer to state institutions to serve their sentences. The combination of these factors affecting state hold subpopulations served to increase the number of state holds overall, which in turn added to the pattern of accelerated growth.

This period saw the opening of the new jail in January 1986. The perception of new capacity may have resulted in the arrest and booking of persons who may have been diverted earlier due to severe crowding in the old jail. However, the new jail did not add many secure beds to the total system capacity, although it did relieve the crowding in the old jail by placing inmates in

beds so as to meet state mandated space standards. With the new jail beds filled almost as soon as they were available, the stage was set for a new period of crowding with renewed efforts placed on population limitation measures.

Continued Growth: 1987 - Mid-1988 The period from early 1987 through mid-1988 saw jail population gradually increase. At the end of this period, jail population was close to 1600, an increase of about 100 inmates.

This period saw a change in the relative contribution of the jail status groups to overall population growth. A significant change occurred for sentenced felons which now began to rise to meet and then exceed pre-SRA levels. Sentenced misdemeanants temporarily stabilized and state holds declined. However, presentenced felons continued to rise, as did presentenced misdemeanants.

Presentenced felons continued to rise steadily reaching 547 by mid-1988. Growth for this group continued in spite of efforts to reduce the time to complete presentence reports for convicted felons. The tremendous increase in felony arrests and bookings, primarily influenced by the rapid increase in illicit drug arrests, parallel the growth of presentenced felons during this period.

During this period, the presentenced misdemeanants increased steadily because of an increase in social order arrests for young males. The sentenced misdemeanant population fluctuated during this period between 290 - 350.

State holds began to decline for the first time since 1983. Parole violators under the indeterminate sentencing system began to decrease presumably due to the reduced number of such offenders in the community. Furthermore, the length of stay for noncompliance offenders awaiting a hearing was dramatically reduced through the implementation of a special weekly SRA modification court calendar dedicated to these cases.

The crowding now experienced during this period in the new jail produced several system responses. A special commission, the King County Jail Committee, was appointed by County Executive Tim Hill and chaired by Chief Civil Deputy Prosecutor Richard Holmquist. The committee was charged with reviewing jail population growth and developing strategies to guide King County's management of it. The committee issued a final report in May 1987 with 49 recommendations for reducing and/or limiting jail population growth.

Both the impact of the recommendations that were implemented, as well as the heightened awareness of the seriousness of the crowding in the new jail, helped reduce and temporarily stabilize population growth. This led the committee to recommend that King County develop additional jail capacity to meet then current and expected future population needs.

The system also responded with increased capacity. When the new jail opened, total system capacity was 1294, with 1105 of the beds in the new jail. Total system capacity gradually increased to 1620 by December 1988. The increase in capacity came in the form of 135 beds in the West Wing of the new jail, 64 beds in the Tower of the new jail, 65 beds at the North Rehabilitation Facility, 25 slots for electronic home detention (EHD), and 37 state contract beds.

The crowding also gave rise to more formal efforts to manage the crowding problem and plan for further expected population growth. In March 1988, the Department of Adult Detention presented an Interim Population Management plan to the King County Executive which received widespread review. The beginnings of serious efforts to develop new capacity currently underway, was an outgrowth of this effort.

Accelerated Growth: Mid-1988 - Mid-1989 Jail population took another major jump in the second half of 1988 which continued through mid-year 1989. Population went from 1587 in July 1988 to 1920 by April 1989. Growth is occurring for both felons and misdemeanants, while some stability is in evidence for state holds.

This period reflects a continuation of trends from the prior period. Increased drug arrests continue to influence the felony population along with the violent and property crime increases. Sentencing reform, social order arrests, and illicit drug related arrests are exerting their influence.

Another capacity adjustment occurred in September of 1989, with the opening of a 160 bed work release facility in remodeled old jail space in the King County Courthouse. This had the effect of making 168 beds available for minimum security prisoners in the new jail and relieving some of the crowding.

It is in this environment of almost continuous growth since 1983 that the subsequent analyses and forecast results must be viewed. Crime patterns, legislative policy changes and demographic pressures have influenced recent population trends. Capacity adjustments and population limitations notwithstanding, growth has continued with resultant crowding and renewed pressure for capacity and programmatic solutions.

KING COUNTY JAIL POPULATION
BY JAIL STATUS BY QUARTER
RECENT HISTORY 1983 - 1989

	Felons		Misdemeanors		Holds		
Quarter	PreSent	Sent	PreSent	Sent	State	Other	Total
1/83	282	317	158	253	121	38	1169
4/83	224	314	103	241	112	28	1022
7/83	263	320	104	181	119	34	1021
10/83	324	299	98	183	118	42	1064
1/84	297	286	111	219	129	61	1103
4/84	323	289	106	200	111	40	1069
7/84	265	307	107	197	159	52	1087
10/84	325	281	129	266	145	34	1180
1/85	298	282	127	293	159	38	1197
4/85	308	292	138	268	130	47	1183
7/85	336	253	156	244	167	41	1197
10/85	338	257	190	272	168	42	1267
1/86	356	244	216	319	155	53	1343
4/86	346	265	209	339	188	39	1386
7/86	409	217	210	345	182	42	1405
10/86	437	244	202	333	184	42	1442
1/87	506	249	206	303	201	39	1504
4/87	490	266	203	309	170	45	1483
7/87	468	224	217	354	164	41	1468
10/87	560	253	183	312	142	39	1489
1/88	561	288	230	336	148	44	1607
4/88	569	303	220	310	143	51	1596
7/88	547	309	244	287	154	46	1587
10/88	666	358	283	303	149	71	1830
1/89	665	287	294	370	143	76	1835
4/89	778	309	284	351	156	42	1920

Notes: Monthly data by Quarter is end of month counts.
The SRA became law in July 1984.

SECTION II
King County Jail Forecast
1989 to 2010

The measures for jail populations that are forecasted and presented in this summary section for the King County jail population forecast are the "average" and the "peaking factor." The end of month population is the calculated "average" jail population (see FORECAST METHODOLOGY section for a discussion of this topic). The second jail population is the "peaking factor" population (it is described in detail as the next topic in the report). The peaking factor represents the peak population that the Department of Adult Detention must plan to manage during any one week. Therefore, the results presented and discussed for the jail population forecast are the peaking factor values.

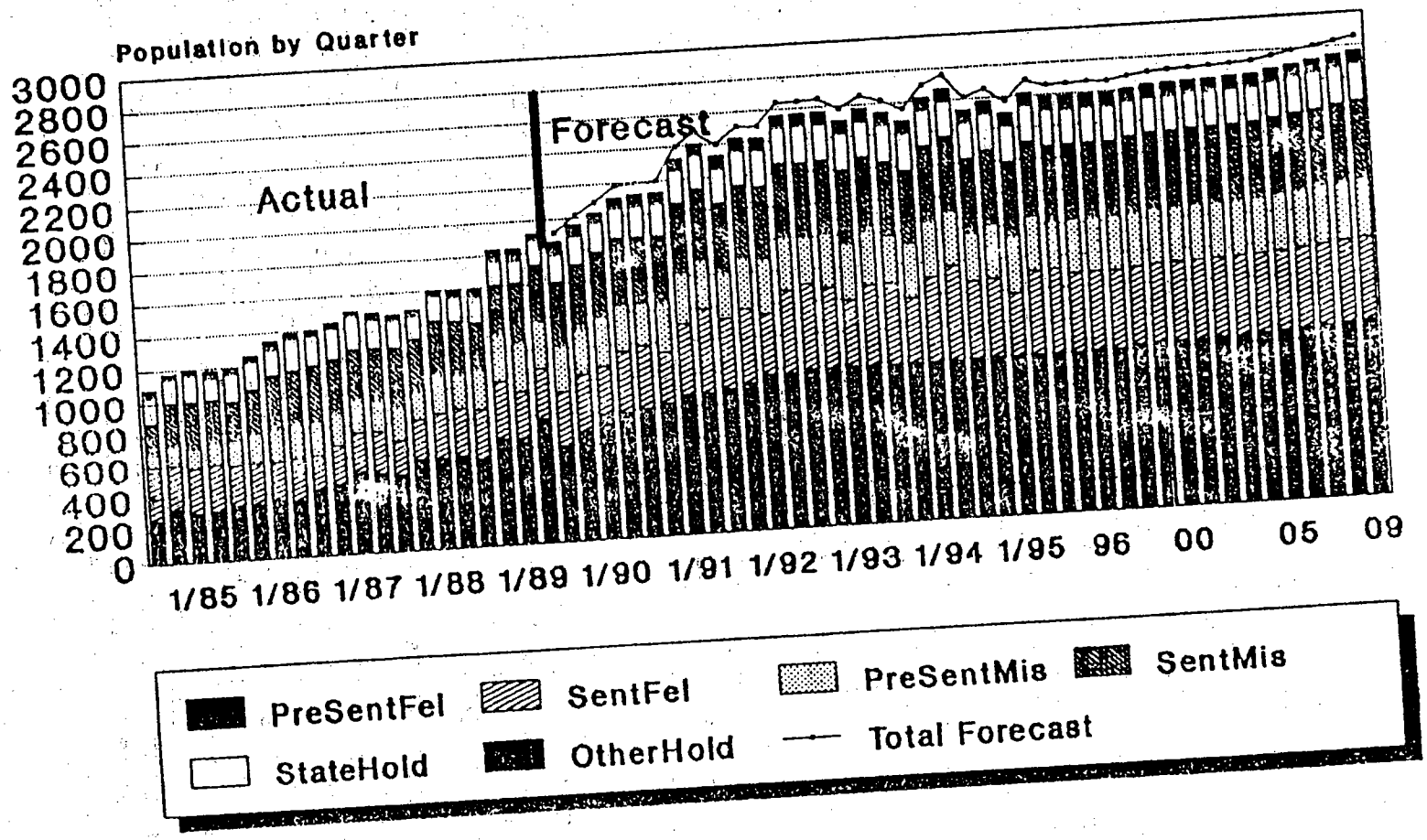
This forecast does not include the vacancy rate, although it can easily be factored into the jail population. The vacancy rate is the operational limitation of operating a jail. Within any given day, a jail needs more space than the forecasted jail population, as admission peaks and release delays create some vacancies. Operationally, a jail is typically considered full at 95 percent of capacity. Vacancies also occur due to the classification of prisoners because of the need to separate medical and psychiatric populations, segregation populations, and high-security populations from the general population and lower security inmates.

Based on the assumptions developed by the assumption team, the King County jail population is forecast to grow at a rate similar to the last eighteen months until 1992 -- increasing from 1,913 to 2,651. The rate of growth then slows until it reaches its short term peak in the Spring of 1994 at a population of 2,755.

This increase is due to the following three factors: 1) increases in presentenced felon bookings, 2) increases in presentenced misdemeanor bookings, and 3) the rapidly increasing number of bookings in both 1988 and 1989 related to illicit drug offenses. The strong increases in presentenced bookings that began in 1987 are expected to continue for the next 36 months. In part this trend has been influenced by the significant increase in violent and property crimes committed since 1984. Details on this trend and other causes of jail population change can be found in the COMPONENTS OF CHANGE section relating to crime patterns, in the JAIL PROFILE section relating to changing jail populations, and in the REGIONAL PATTERNS sections relating to regional reported crime and booking patterns.

In 1995, the jail population is forecast to dip slightly to a population of 2,574. The reason the population dips in 1995 is because the projections for each of the components of change stabilized in 1994 due to the three year duration of assumptions

King County Jail Population
Actual and Forecast By Jail Status
1984 to 2009



Total Forecast Population includes the six jail statuses and the peaking factor.

KING COUNTY JAIL POPULATION FORECAST
BY JAIL STATUS BY QUARTER
July 1989 -- 2010

Quarter	Felons PreSent	Felons Sent	Misdemeanors PreSent	Misdemeanors Sent	Holds State	Holds Other	Jail Status Total	Total
7/89	600	340	271	397	170	79	1857	1913
10/89	686	349	276	402	175	69	1958	2017
1/90	785	293	295	407	179	71	2030	2091
4/90	789	370	287	412	184	73	2114	2177
7/90	804	383	259	417	188	74	2124	2188
10/90	832	311	298	421	193	76	2130	2194
1/91	877	432	317	426	197	78	2328	2398
4/91	881	508	309	431	202	79	2411	2483
7/91	896	431	278	436	206	81	2328	2398
10/91	924	455	320	440	211	83	2432	2505
1/92	969	371	340	445	215	84	2425	2497
4/92	973	506	331	449	220	86	2564	2641
7/92	987	521	296	453	221	86	2565	2642
10/92	992	485	335	453	222	87	2574	2651
1/93	991	402	350	454	223	87	2508	2583
4/93	991	486	335	454	224	88	2578	2656
7/93	991	490	296	454	224	87	2543	2619
10/93	991	394	335	454	224	87	2486	2560
1/94	991	517	351	454	224	87	2624	2702
4/94	992	582	336	455	223	87	2675	2755
7/94	993	477	297	455	223	87	2533	2609
10/94	994	484	336	456	223	87	2580	2657
1/95	995	387	352	456	223	87	2499	2574
4/95	997	517	337	457	223	87	2616	2695
7/95	998	522	298	457	222	87	2585	2662
10/95	1001	486	332	458	222	87	2587	2664
Yr1996	1008	482	334	460	221	86	2591	2669
1997	1009	481	334	459	218	85	2588	2665
1998	1020	485	337	463	218	85	2610	2688
1999	1029	488	340	467	219	85	2628	2707
2000	1033	489	341	467	218	85	2634	2713
2001	1038	491	341	467	218	85	2640	2719
2002	1042	492	342	468	218	85	2645	2725
2003	1046	493	342	468	217	85	2651	2731
2004	1051	494	343	469	217	85	2657	2737
2005	1060	498	345	472	219	85	2679	2760
2006	1069	503	348	475	221	86	2701	2782
2007	1078	507	350	478	223	87	2723	2805
2008	1087	511	353	481	225	88	2746	2828
2009	1096	516	356	485	227	89	2768	2851
2010	1105	520	358	488	237	90	2798	2882

Notes: Monthly data by Quarter is end of month counts.
Annual data is end of June estimate.
"Total" includes the Peaking Factor.

established by the assumption setting team. The only assumption that continues to vary after 1994, and will therefore still influence the jail's population, is the changing demographic patterns. After 1995, the jail population increases due to demographic growth patterns. The strongest demographic influence during this period will be the rapid increase in younger offenders which will be caused by the "baby boom echo."

JAIL STATUS DEFINITIONS

PRESENTENCED FELONS:

This category includes offenders that are booked in jail on a felony. This category includes two booking categories: charged awaiting trial and investigative bookings. Also included in this category are offenders who, after being detained until sentencing, are convicted and sentenced to serve time in jail. Some of these offenders are given credit for time served and released.

SENTENCED FELONS:

This category includes sentenced offenders, previously booked as a presentenced felon and released on bail, bond, or their own recognizance, and subsequently booked to serve time. It also includes offenders previously booked for noncompliance with community supervision or probation violations who are released prior to their hearing and are subsequently booked to serve a jail term. Sentenced felons with sentences greater than one year are transported to the State Department of Corrections and are not included in this category.

PRESENTENCED MISDEMEANORS:

This category includes offenders that are booked in jail on a misdemeanor or traffic offense. Also included in this category are offenders who, after being detained until sentencing, are convicted and sentenced to serve time in jail. Some of these offenders are given credit for time served and released.

SENTENCED MISDEMEANORS:

This category includes sentenced offenders, previously booked as a presentenced misdemeanant and released on bail, bond, or their own recognizance, and subsequently booked to serve time. Also included are sentenced offenders who were cited at arrest and never booked as a presentenced prisoner, but who are subsequently sentenced to serve jail term.

STATE HOLDS:

This category includes offenders held for such reasons as parole holds, probation detainer, noncompliance with community supervision under SRA, state work release violator, and hold for institutional transfer.

OTHER HOLDS:

This category includes offenders held for such reasons as immigration, federal charge, transient, other county hold, and fugitive.

ECTION II
ing County Jail Forecast
eaking Factor

The peaking factor is the difference between the day of the week with the highest population versus the week's average population. It is used to estimate the peak population during the week that the jail staff will have to manage. In the forecast, the peaking factor is added to the "average" population forecast to give a more realistic representation of expected workload, bed need and program space.

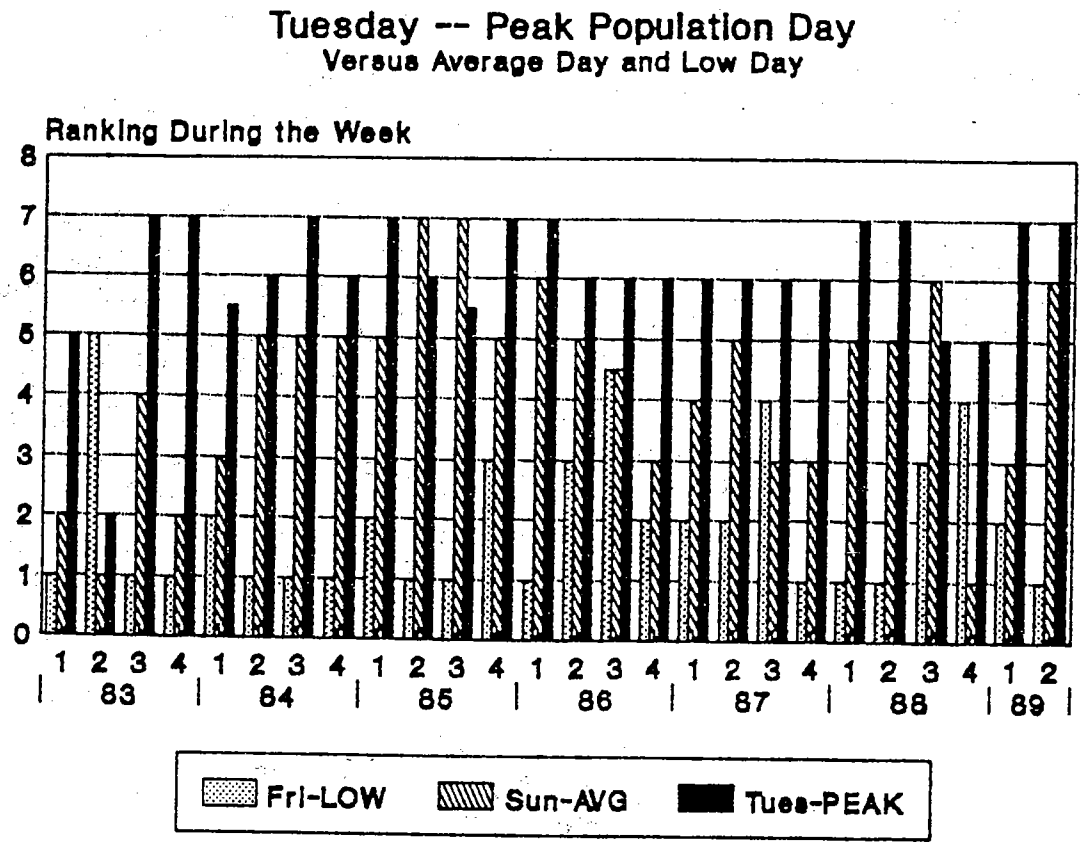
Because of the rapid movement of many statuses of offenders, jails much more so than prisons have a strong day-to-day fluctuation in their populations that is caused by weekly routines. In most counties, Saturday and Sunday are the peak population period because the weekend trouble making is coupled with no court activity that provides for release. This classic reason for jail population peaking does not effect the King County jail peaking factor, because King County, unlike most other counties, has numerous means of stabilizing the traditional weekend population peak.

Yet there is still a significant peaking factor in the King County jail population. The King County peaking factor is three percent and it occurs mid-week with Tuesday being the most likely day for the population peak. This is a robust pattern that has been consistent since at least 1983.

Why the mid-week peaking period? Some of the reasons include the following processes. The Seattle Municipal Court holds weekend court sessions which provides for release on bail, bond, and personal recognizance. The Department of Adult Detention uses pretrial screeners that provide seven days a week personal recognizance releases for many misdemeanants, and for some nonviolent felons. Also, the Department of Adult Detention has a policy of not accepting "weekender" sentenced offenders, and also schedules one day mandatory sentences for DWI offenders between Monday and Friday. Each of these activities has contributed to the elimination of the traditional weekend population peak.

The Assumption Setting Team speculated that the mid-week peaking pattern is driven by the detective's schedules and workloads. It was suggested that felony investigation cases begun at the beginning of the workweek appear as bookings during the middle of the week. Another factor is the scheduling of the "chain", i.e., the transfer of felons sentenced to a state facility on Wednesdays. This group builds up until the mid-week drop. A second transfer may occur on Fridays.

The peaking factor for this forecast is calculated by averaging quarterly weekly peaking factors between the first quarter of 1988 and the second quarter of 1989. The last six quarters are used because they represent the most recent information. The tables below provide this information.



CALCULATING THE
KING COUNTY JAIL PEAKING FACTOR

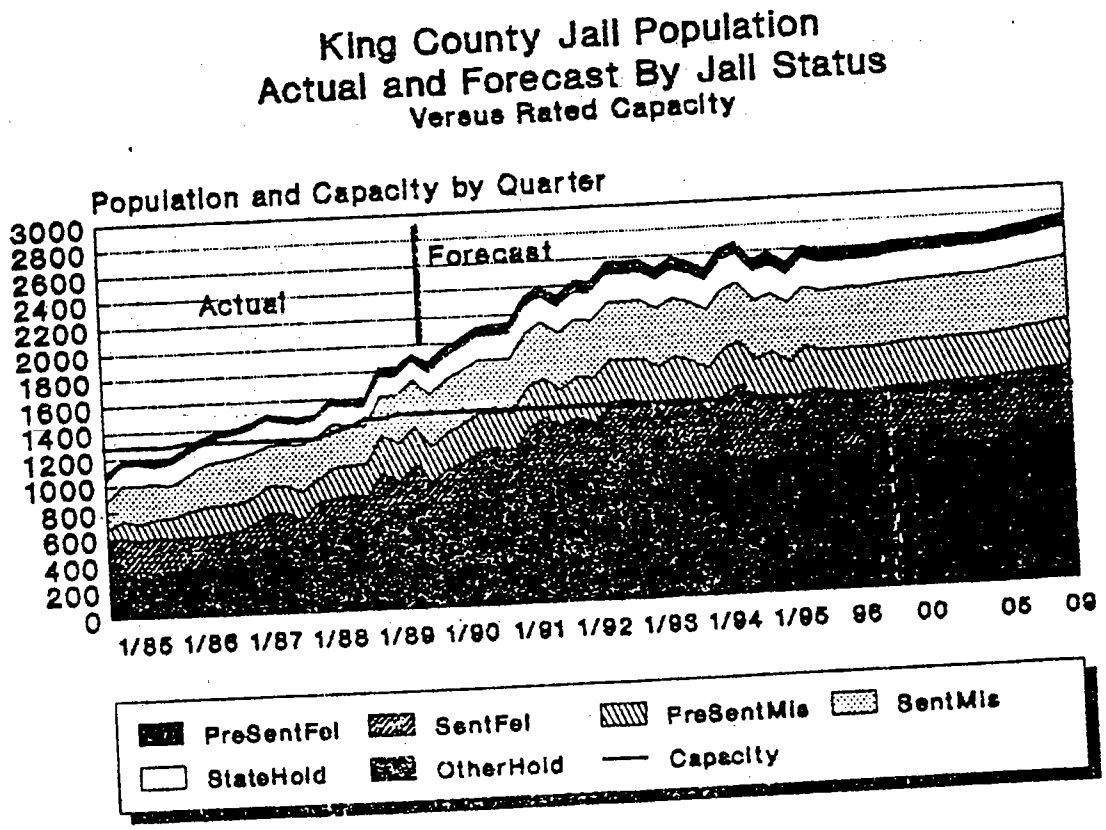
Quarter Year	Day	Value
1/1988	Tuesday	1.037
2/1988	Tuesday	1.034
3/1988	Monday	1.018
4/1988	Wednesday	1.024
1/1989	Tuesday	1.043
2/1989	Tuesday	1.024
	Average:	1.030

1.030 is to be read: The peak day is three percent higher than the week's average population.

SECTION II
King County Jail Forecast
Actual and Forecast Jail Population Versus Rated Capacity *

The graph below and the table on the facing page show the relationship between the jail capacity and the actual and forecasted jail population. By 1991, the difference between capacity and forecast is 882 persons. By 1992 the difference will be over 1,000 persons and by 2010 it would be almost 1,300 persons.

The Actual and Forecast By Jail Status Versus Rated Capacity graph shown below, demonstrates the difference between the forecasted jail population and jail capacity. As was described in the section relating to the recent history of the King County jail, limited capacity requires significant population adjustments to keep the jail within a tenable range of crowding. By 1992, very significant adjustments in the admission policies would be needed in King County. If presentenced and sentenced felons are given priority for incarceration, it is clear from the graph that the "state" and "other hold" as well as the misdemeanor categories, may have to have either major admission restrictions or liberalized release policies to maintain a noncrowded jail. (* Please note rated capacity definition on next page.)



KING COUNTY JAIL POPULATION FORECAST
Total Forecasted Population Versus Rated Capacity

Quarter	Total Forecast	Rated Capacity	Difference Forecast Versus Capacity
7/89	1913	1463	450
10/89	2017	1623	394
1/90	2091	1623	468
4/90	2177	1623	554
7/90	2188	1623	565
10/90	2194	1623	571
1/91	2398	1623	775
4/91	2483	1623	860
7/91	2398	1623	775
10/91	2505	1623	882
1/92	2497	1623	874
4/92	2641	1623	1018
7/92	2642	1623	1019
10/92	2651	1623	1028
1/93	2583	1623	960
4/93	2656	1623	1033
7/93	2619	1623	996
10/93	2560	1623	937
1/94	2702	1623	1079
4/94	2755	1623	1132
7/94	2609	1623	986
10/94	2657	1623	1034
1/95	2574	1623	951
4/95	2695	1623	1072
7/95	2662	1623	1039
10/95	2664	1623	1041
Yr1996	2669	1623	1046
1997	2665	1623	1042
1998	2688	1623	1065
1999	2707	1623	1084
2000	2713	1623	1090
2001	2719	1623	1096
2002	2725	1623	1102
2003	2731	1623	1108
2004	2737	1623	1114
2005	2760	1623	1137
2006	2782	1623	1159
2007	2805	1623	1182
2008	2828	1623	1205
2009	2851	1623	1228
2010	2882	1623	1259

Notes: Monthly data by Quarter is end of month counts.
Annual data is end of June estimate.
"Total" includes Peaking Factor

ted Capacity: Definition

ted capacity is used in this report for illustrative purposes
aid in King County's bed and program need analysis by drawing
ttention to the base capacities of facilities operated by the
epartment of Adult Detention which reflect formally adopted
pace standards. Rated capacity includes the capacity set by the
orrections Standards Board for the Tower, the West Wing, the
orth Rehabilitation Facility, and the 160 beds in the remodeled
ail in the King County Courthouse. The 160 beds were opened in
eptember 1989. The rated capacity figure does not include the
following components of the current total system capacity:
electronic home detention, contract work release, secure contract
beds, and beds used in excess of rated capacity in the West Wing,
the North Rehabilitation Facility, or the use of mattresses on
the floor in the Tower.

SECTION III
Components of Change

This section provides a review of the components of change as they apply to this jail population forecast. The components of change used in this forecast include:

1. REPORTED CRIME PATTERNS:

Reported crime patterns are not used as an explicit element in the jail population forecast. These data do, however, serve a very important function by helping to explain the changes observed in the booking rates. Reported crime patterns serve as an important "indirect" component of change.

2. DEMOGRAPHIC CHANGES:

The anticipated changes in the male and female population within the county's general population are used as one of the causes of change in the jail population forecast. For males, the age groups used are: less than 20 years old, 20 to 29 years old, 30 to 39 years old, and 40 years and older. For females, a single age group 20 to 40 years old is used.

3. CHANGE IN BOOKING RATES FOR THE SIX JAIL STATUSES:

Booking rates (also known as admission rates) are calculated by dividing the six jail statuses' monthly bookings by the five estimated at risk populations. Booking rates are calculated for each month between 1983 and mid 1989. These rates are reported as bookings per 1,000 persons. The projected <u>number of bookings</u> are calculated by multiplying the projected booking rates times the projected number of persons in the corresponding at risk group.

4. LENGTH OF STAY:

Actual lengths of stay were calculated for each of the six jail statuses. The forecasted jail population is calculated by multiplying the projected bookings of each jail status by the projected lengths of stay for each status.

SECTION III
Components of Change
Crime Patterns

The two adjacent graphs, REPORTED VIOLENT CRIME and REPORTED PROPERTY crime show the changing patterns of crime in King County. The year 1975 is used as an historical baseline for crime in the 1980's because it was in the mid 1970's that the increase in crime finally began to slow down after its unprecedented climb from the mid 1960's. Therefore 1975 serves as a cornerstone of recent criminal experience. In terms of history, crime in 1975 was high. What has happened since then?

Violent crime, which includes homicide, rape, robbery, and assault increased significantly between 1975 and 1980 in both Seattle and the remainder of King County. Seattle experienced a 30 percent increase in reported violent crimes and the remainder of King County experienced a 48 percent increase. In all, Seattle had 69 percent of the county's violent crime.

Between 1975 and 1980, property crime increased from 42,900 to 49,300 in Seattle (15 percent increase) and from 35,000 to 51,600 (47 percent increase) in the remainder of the county. Property crimes include burglary, larceny, auto theft, and arson.

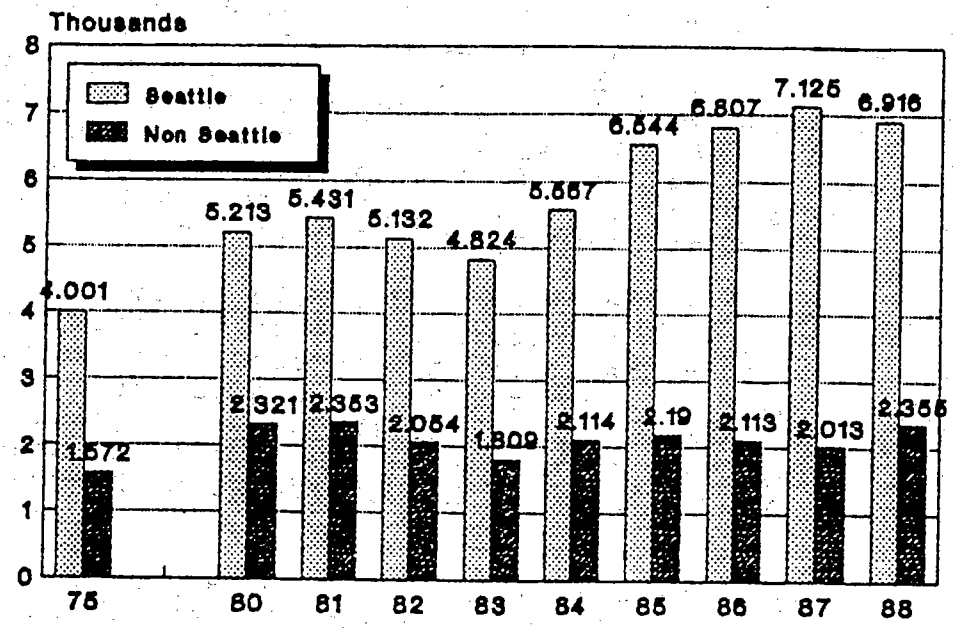
For one of the first times since the 1960's crime showed an actual measurable decline from 1981 to 1983. This decline occurred not only in Seattle and King County, but was also recognized across most of Washington State and the nation. In Seattle, violent crime declined by 607 cases or 11 percent. Between 1980 and 1984, reported property crime in the remainder of the county declined by 6,900 cases or by 13 percent.

Since 1983, however, both reported violent and property crime have increased significantly. In Seattle reported property crime has increased by 36 percent in six years with the number of reported property crimes increasing by 17,900. In the remainder of the county, the number of property crimes increased by 12,800. In a six year period the county as a whole experienced an increase of 30,700 reported property crimes a year.

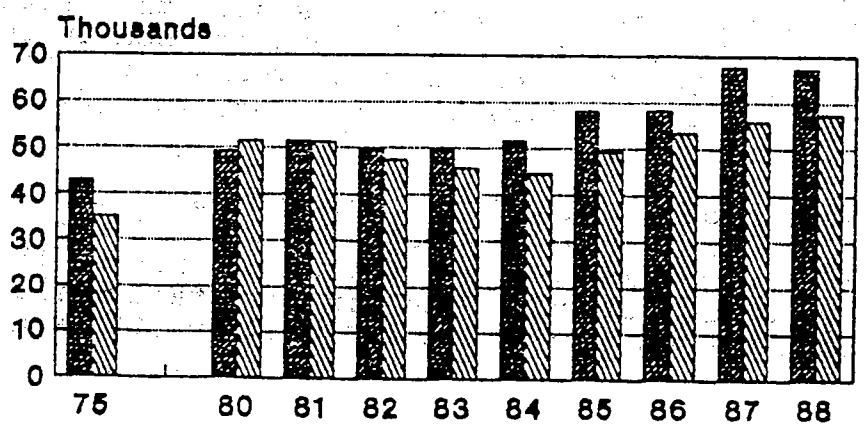
Also since 1983, reported violent crime for the county as a whole increased from 6,633 to 9,271, an increase of 40 percent. By far, most of the increase in violent crime since 1983 has been in Seattle. In Seattle alone, the number of reported violent crimes increased by as much as 48 percent. In the remainder of the county the number of violent crimes increased, but not at the rate that they did in Seattle. The increase in violent crime in the remainder of county, however, may be accelerating. Between 1987 and 1988 violent crime in the remainder of county increased by 17 percent.

As described in a later section, increases in crime have been reflected in the presentenced booking patterns. In short, there is a direct correlation between reported crime and bookings.

Reported Violent Crime
Seattle vs the Remainder of King County



Reported Property Crime
Seattle vs. the Remainder of King County



	75	80	81	82	83	84	85	86	87	88
Seattle	42.9	49.3	51.5	49.8	49.6	51.8	58	58.3	67.5	67.3
North	11.9	16.5	16.6	15	15	14.5	15.6	16	15.7	16.2
Renton	7.6	11.4	11.4	10.2	9.8	9.6	10.4	12	12.9	13
Seatac	6.7	9	9.2	8.2	7.7	7.6	9.3	9.9	10.7	10.8
FedWay	5.6	10.4	10.6	9.9	9.4	9.6	10.3	11.4	11.9	12.7
Rural	3.2	4.3	3.6	4.1	3.8	3.4	3.8	4.1	4.7	4.8
NonSeattle	35	51.6	51.4	47.4	45.7	44.7	49.4	53.4	55.9	57.5

King Co. Regional detail not graphed.

SECTION III
Components of Change
Demographic Patterns

It is a well known fact that younger males are more likely to be involved in illegal behavior than older males. Whereas this remains true in King County, it is changing. There is a trend for older males, especially males 30 and older, to be more involved in illegal behavior than they were ten and fifteen years ago. Since 1983, the jail population of offenders older than 30 years old has increased from 5 to 15 percentage points for four of the six jail statuses, including presentenced and sentenced felons, sentenced misdemeanors, and state holds.

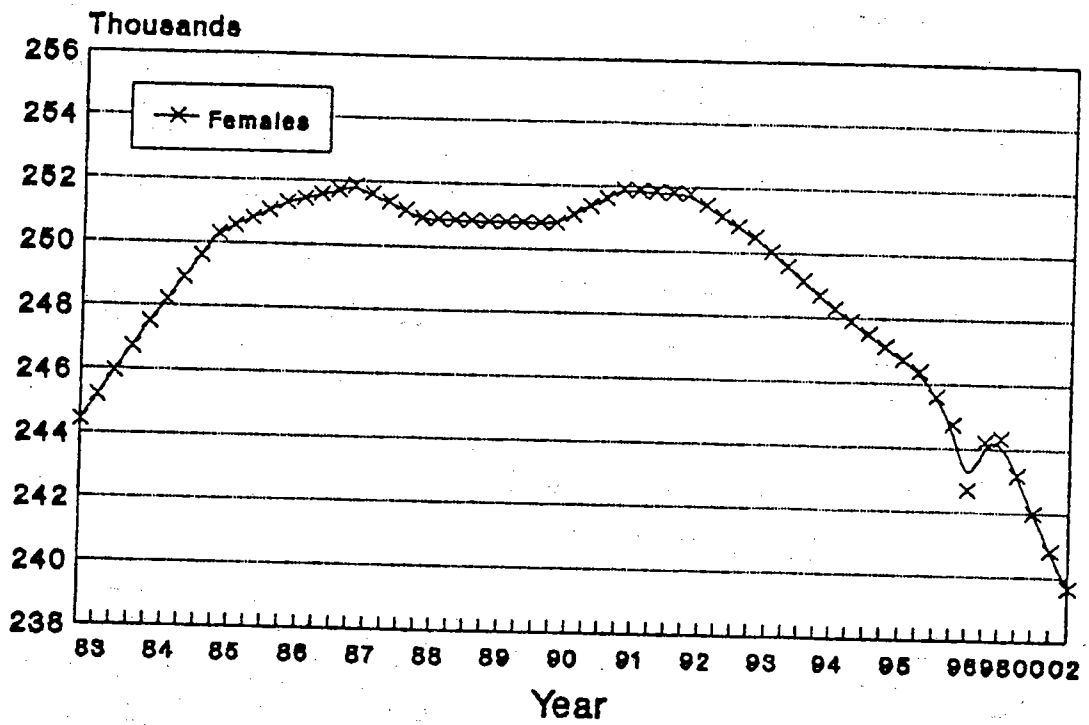
Not only is there a trend toward older males being more involved in criminal behavior, the numbers or persons in the 30 to 40 year old, and 40 and older age groups are increasing rapidly. This is because the "baby boom generation" is aging out of the younger "at risk" groups into the 30 and older "at risk" groups. Starting in 1986, there were actually more males in the King County 30 to 39 year old group than in the 20 to 29 year old group.

The younger groups (less than 20 and 20 to 29 year olds) are now well into the "Baby Bust" phase and actually are decreasing in size. The reason for this is there were fewer births for the age cohort following the baby boom cohort. In 1996, this trend of fewer younger aged males will reverse and begin to grow in earnest as the children of the baby boom -- "the baby boom echo" -- mature.

The graphs on the following pages show the patterns within King County of the five demographic groups used in this forecast. These are males (1) less than 20 years old, (2) 20 to 29 years old, (3) 30 to 39 years old, (4) 40+, and (5) females 20 to 39 years old.

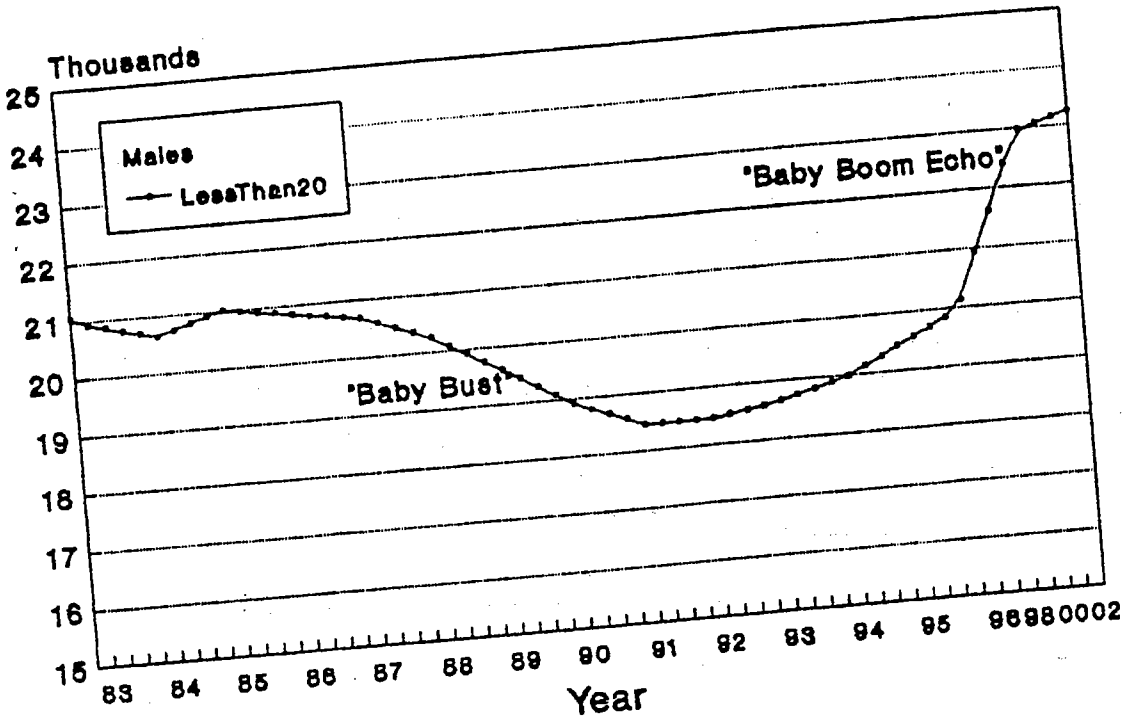
The Puget Sound Council of Governments June 1988 population estimate was used as the general population estimate for this forecast. The age and sex distributions for the general King County population were based on the State Office of Financial Management's estimates dated September 1986 and December 1988.

King County Demographic
Criminal Justice 'At Risk' Groups

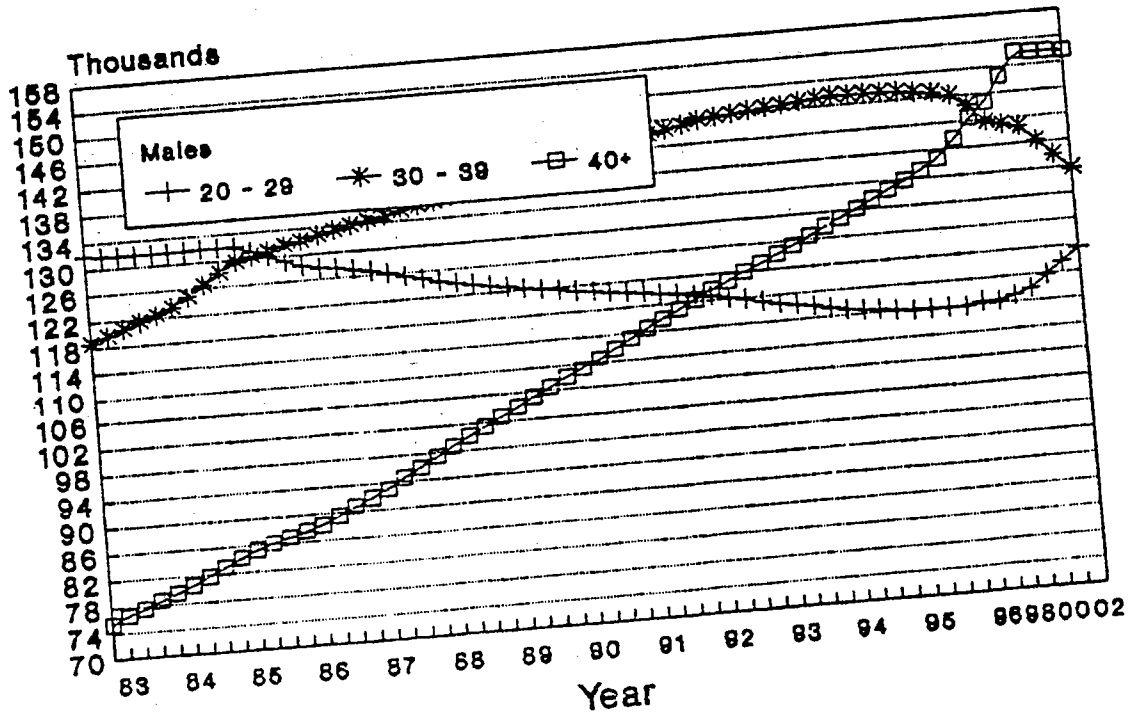


Females 20 to 40 years old

King County Demographic
Criminal Justice 'At Risk' Groups



King County Demographic
Criminal Justice 'At Risk' Groups



SECTION III
Components of Change
Bookings for the Six Jail Statuses: Actual and Forecast

On the following page the two graphs show the actual and forecast number of bookings for each of the six jail statuses. These forecasted values for bookings are based on the assumed pattern of future bookings established by the Population Assumption Setting Team. The team actually established assumptions based on the bookings per 1,000 for the five different demographic "at risk" age groups.

For example, a projected booking rate pattern was adopted by the Assumption Setting Team for presentenced males 20 to 29 years old. To calculate the expected number of presentenced bookings for males between the ages of 20 to 29 years old, these rates were multiplied by the number of persons estimated to be in that age group for each quarter of the forecast period.

The two graphs on the following page show the actual and the projected number of bookings for the six different jail statuses. These graphs use two very different sets of scales which depict the differential impact for the different jail statuses.

In terms of bookings, sentenced felons are very small compared to the number of presentenced felons. The reasons are twofold: 1) sentenced felon bookings only include those who are out of custody at sentencing and are subsequently booked to serve a jail sentence, and 2) some presentenced felons serve prison terms and do not appear in this group.

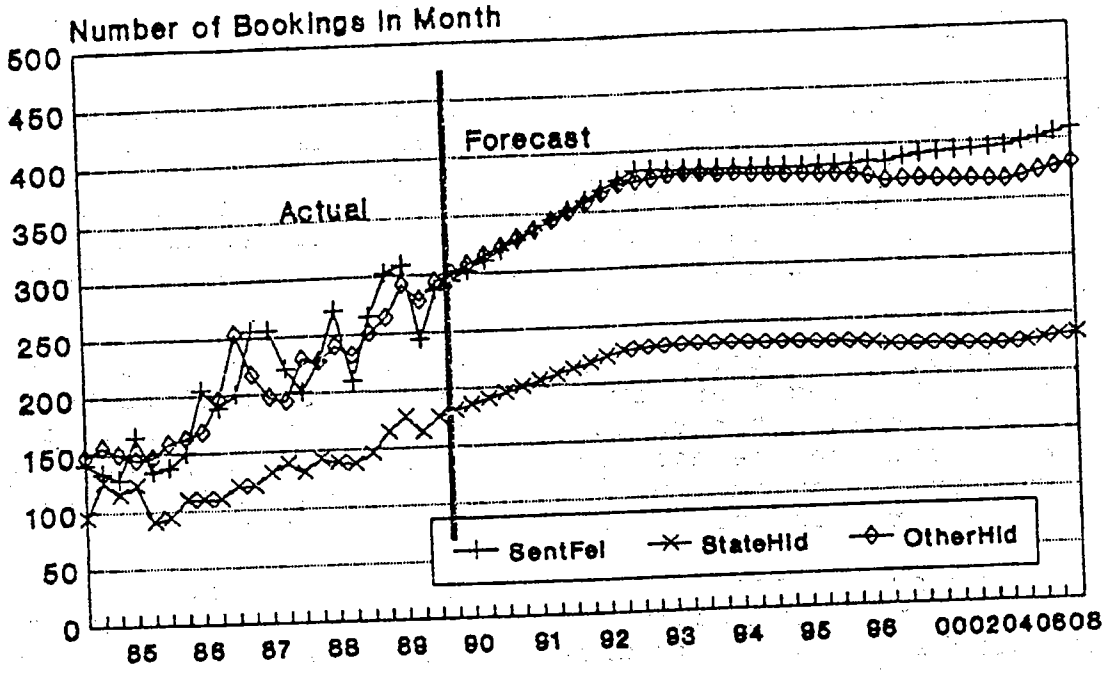
The increase in presentenced and sentenced felons has been caused primarily by the increased number of violent felony crimes, felony property offenses and drug offenses. The violent crimes that have increased the most are aggravated assault and robbery. For instance, the number of reported aggravated assaults increased from 2,295 in 1983 to 3,697 in 1988, an increase of 61 percent. In the Federal Way region, the number of aggravated assaults increased from 157 in 1983 to 263 in 1988, an increase of 68 percent.

The felony property crime that has increased the most throughout the county has been auto theft. For instance in King County as a whole, the number of reported auto thefts has increased from 3,489 in 1984 to 8,561 in 1988, an increase of 145 percent.

Drug bookings have increased very rapidly across the entire county. Between 1984 and 1989 the drug crime bookings have increased by the following amounts across King County: Seattle 572 percent; the Northwest region which includes Shoreline, Bellevue, Redmond 137 percent; the Renton region 92 percent; the Seatac region 130 percent, and the Federal Way region 50 percent. Defendants and offenders from other counties within Washington

Actual and Forecast Bookings

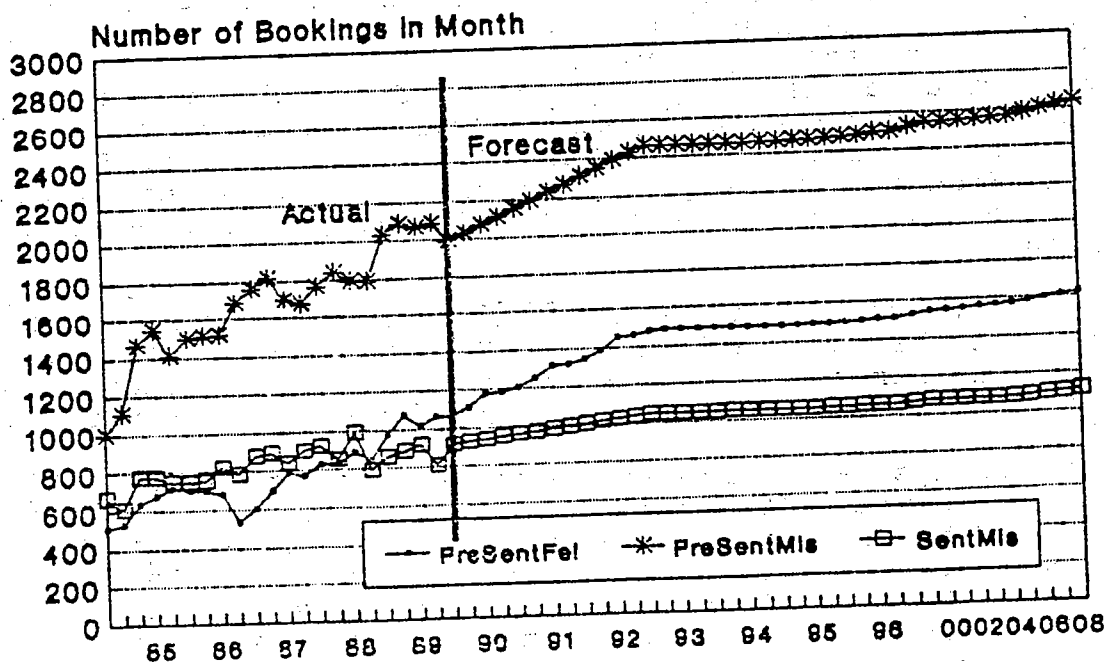
SentFel StateHld OtherHld



Monthly Data
for the First Month of each Quarter
After 1996: Data is Mid Year Forecast

Actual and Forecast Bookings

PreSentFel PreSentMisd SentMisd



Monthly Data
for the First Month of each Quarter
After 1996: Data is Mid Year Forecast

State who have been booked for drug offenses have increased 210 percent since 1984.

The information outlined above notes the reasons that felony presentenced bookings and sentenced bookings have gone up month by month. It is for these reasons that the Assumption Setting Team projects continued increases in bookings for presentenced and sentenced felons.

Another interesting occurrence is the steady increase in misdemeanor bookings from 1985 to present. Many of these bookings are for larceny which has increased significantly throughout the county. Since 1983, in Seattle alone there have been over 11,000 more reported larcenies, a 33 percent increase. Since 1983, there has been a 34 percent increase in reported larceny in the Renton area, 37 percent increase in the Seatac area, and 31 percent increase in the Federal Way area.

Another group of crimes that is also responsible for the actual and forecasted increase in misdemeanor bookings is the "miscellaneous" crimes. The crimes within the miscellaneous category which have increased significantly in the last 18 months have been disorderly conduct, resisting arrests, liquor violations, prostitution and gambling. The age groups contributing most to these bookings are males less than 20 and 20 to 29 years old. This trend may be linked to gang activity or the "homeless".

"Other holds" are booked almost twice as frequently as "state holds". However as seen in the actual and forecasted populations, "state holds" outnumber "other holds" 140 to 50. The difference is the length of stay. "State holds" currently stay in jail about 29 days versus about 8 days for "other holds".

"State holds" bookings actually declined in the 1985 to 1986 period. While the precise reasons are not known, the bookings for this group gradually increased following the short period of decline. By mid-1989, state hold bookings exceeded the pre-1985 time period.

The increase in bookings for "other holds", is for the most part due to the implementation of the Intrastate Transportation Agreement that makes it possible to hold an out of county defendant or prisoner at the request of another county. Somewhat counteracting the increase, an administrative policy has been put into effect that limits the number of immigration and federal holds. However, it is believed that the increase in crime, especially drug related offenses, in King and surrounding counties will cause the number of "other holds" to increase. Since 1984, the number of bookings of "other county holds" for drug offenses went up 210 percent.

HISTORICAL KING COUNTY BOOKINGS
BY JAIL STATUS 1983 -- 1989

	FELON		MISDEMEANOR		HOLDS		
	PreSent	Sent	PreSent	Sent	State	Other	TOTAL
1/83	560	138	1269	972	115	123	3178
4/83	685	115	1283	884	104	122	3195
7/83	663	114	1194	741	101	145	2959
10/83	628	141	1210	717	113	153	2962
1/84	540	179	1116	708	128	144	2816
4/84	509	142	1001	667	94	148	2560
7/84	527	134	1106	610	126	156	2658
10/84	631	128	1465	773	115	150	3263
1/85	676	165	1545	772	123	145	3425
4/85	715	135	1410	748	91	146	3244
7/85	702	138	1496	746	94	159	3334
10/85	697	150	1511	749	109	163	3377
1/86	682	205	1517	822	109	168	3502
4/86	534	188	1684	784	109	196	3496
7/86	604	200	1763	876	120	254	3817
10/86	695	256	1816	889	120	217	3994
1/87	789	256	1699	839	131	198	3911
4/87	768	222	1678	900	139	193	3900
7/87	832	201	1765	925	131	230	4085
10/87	832	228	1842	853	142	227	4124
1/88	884	272	1792	989	139	240	4316
4/88	847	210	1789	792	137	232	4008
7/88	973	265	2029	857	146	250	4521
10/88	1076	302	2083	886	164	264	4775
1/89	1015	309	2067	921	177	292	4781
4/89	1065	244	2086	812	164	278	4649

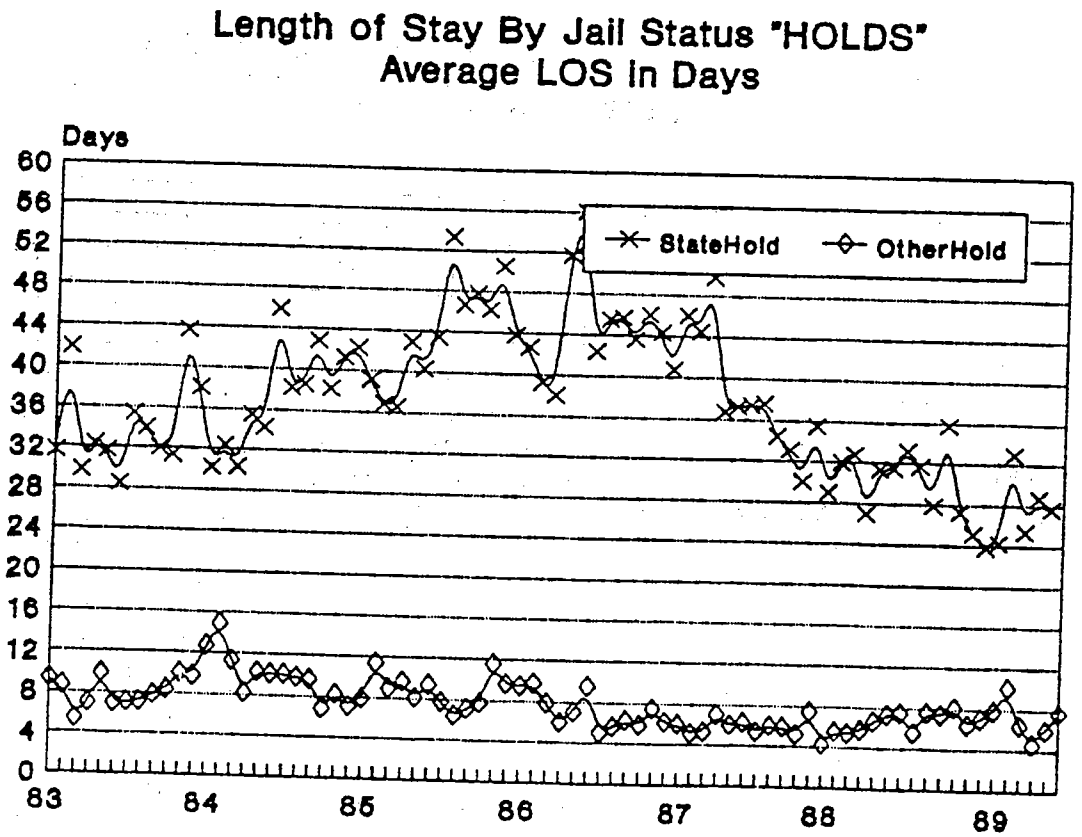
Notes: Monthly data by Quarter is end of month counts.

SECTION III
Components of Change
Historical Lengths of Stay for the Six Jail Statuses

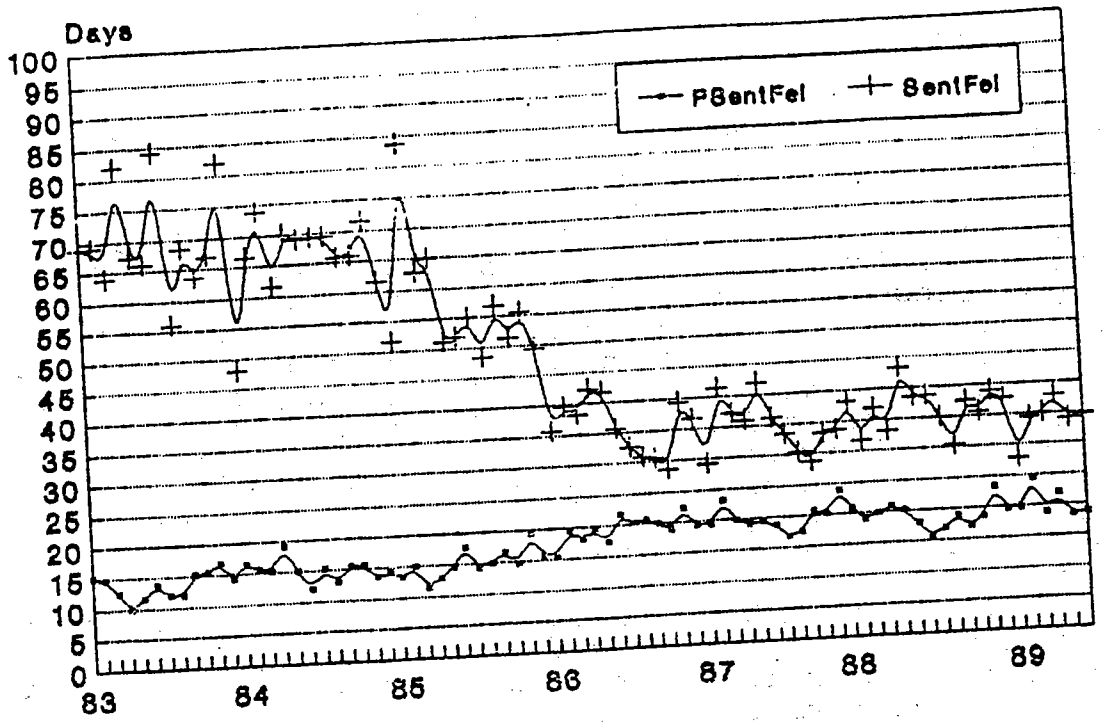
The graphs in this section show the historical lengths of stay for the six jail statuses.

There has been a dramatic decrease in length of stay for sentenced felons tied at least in part to SRA. The length of stay decreased by about half from 70 days to about 35 days. Length of stay increased for presentenced felons from about 15 days prior to 1986 to about 20 days between 1986 and 1989. Over this period the mix of investigative holds and those held as charged awaiting trial has changed. This is due to an increasing proportion of investigation bookings. The length of stay increase for this group may have been greater if not for the increase in investigations with very short lengths of stay which tends to suppress the average for the group.

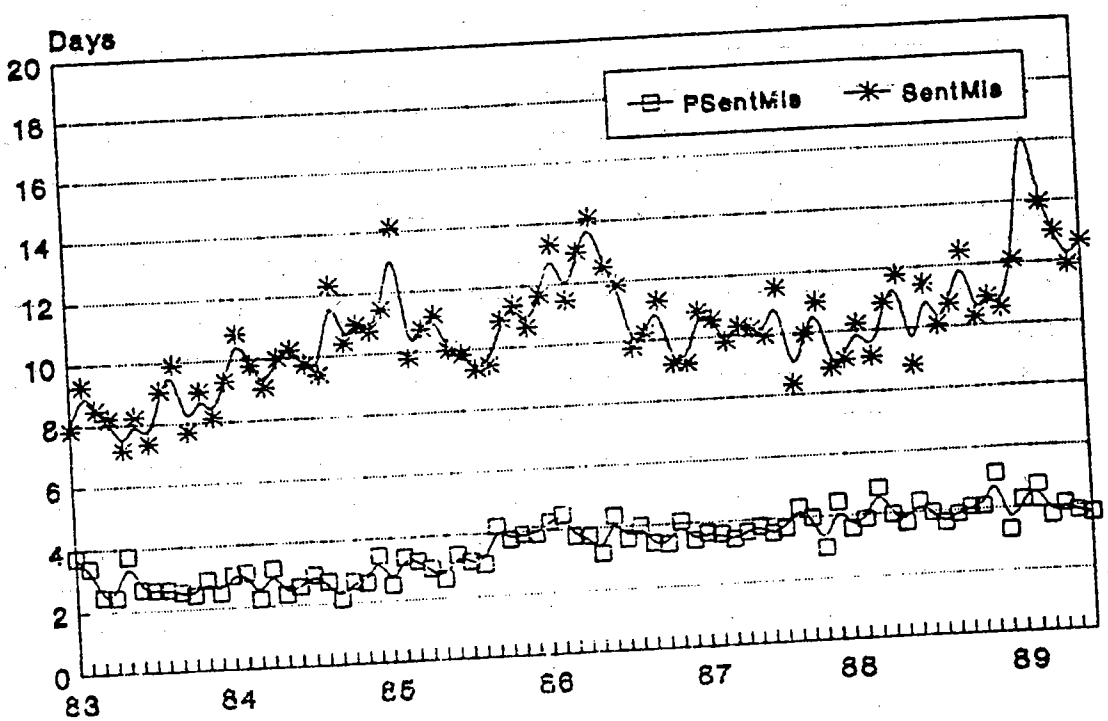
The 1987 Jail Committee chaired by Richard Holmquist produced a list of actions to address the "state hold" category. This resulted in the reduction of the length of stay for "state holds" from about 45 days in 1986 to a recent level of about 28 days.



Length of Stay: Felony Jail Status
Average LOS in Days



Length of Stay: Misdemeanor Jail Status
Average LOS in Days



SECTION IV
Forecast Assumptions

This section summarizes the assumptions used in the forecast relating to booking patterns and length of stay patterns. Upon review and discussion of the background information, the Population Assumption Setting Team established the assumptions outlined in this section.

Specifically, the Population Assumption Setting Team set assumptions for bookings and length of stay for:

(1) Presentenced felons (for bookings by age group and gender),

(2) Sentenced felons (for bookings by age group and gender),

(3) Presentenced misdemeanors (for bookings by age group and gender),

(4) Sentenced misdemeanors (for bookings by age group and gender),

(5) State holds, and

(6) Other holds.

SECTION IV
Forecast Assumptions
Booking Rates for Presentenced Felons

Reference the graph on the facing page entitled KING COUNTY JAIL BOOKING RATES -- PRESENTENCED FELONS.

Males less than 20 years old: Maintain the historical cycle which includes an initial decline in 1989. Following this decline, the cycle is to be repeated for three years on trend line established from 1/88 to 3/89.

Comment: Use of the historical cycle is based upon the strong repeating cyclical pattern for males less than 20, that has been consistent between 1/83 and 9/87. At this point a strong upward trend is noted. It is believed that this trend is driven by drug and drug related crimes and the corresponding emphasis on these crimes by both the Prosecutor's Office and law enforcement agencies.

Males 20 to 29 years old: Starting at 6/89, use the trend line established from 3/86 through 3/89 and continue it out three years, and then stabilize the rate of bookings consistent with demographic influences of this age group.

Comment: A strong upward trend is noted at 3/86, and is believed to be associated with drug related offenses and increased law enforcement and prosecutorial emphasis.

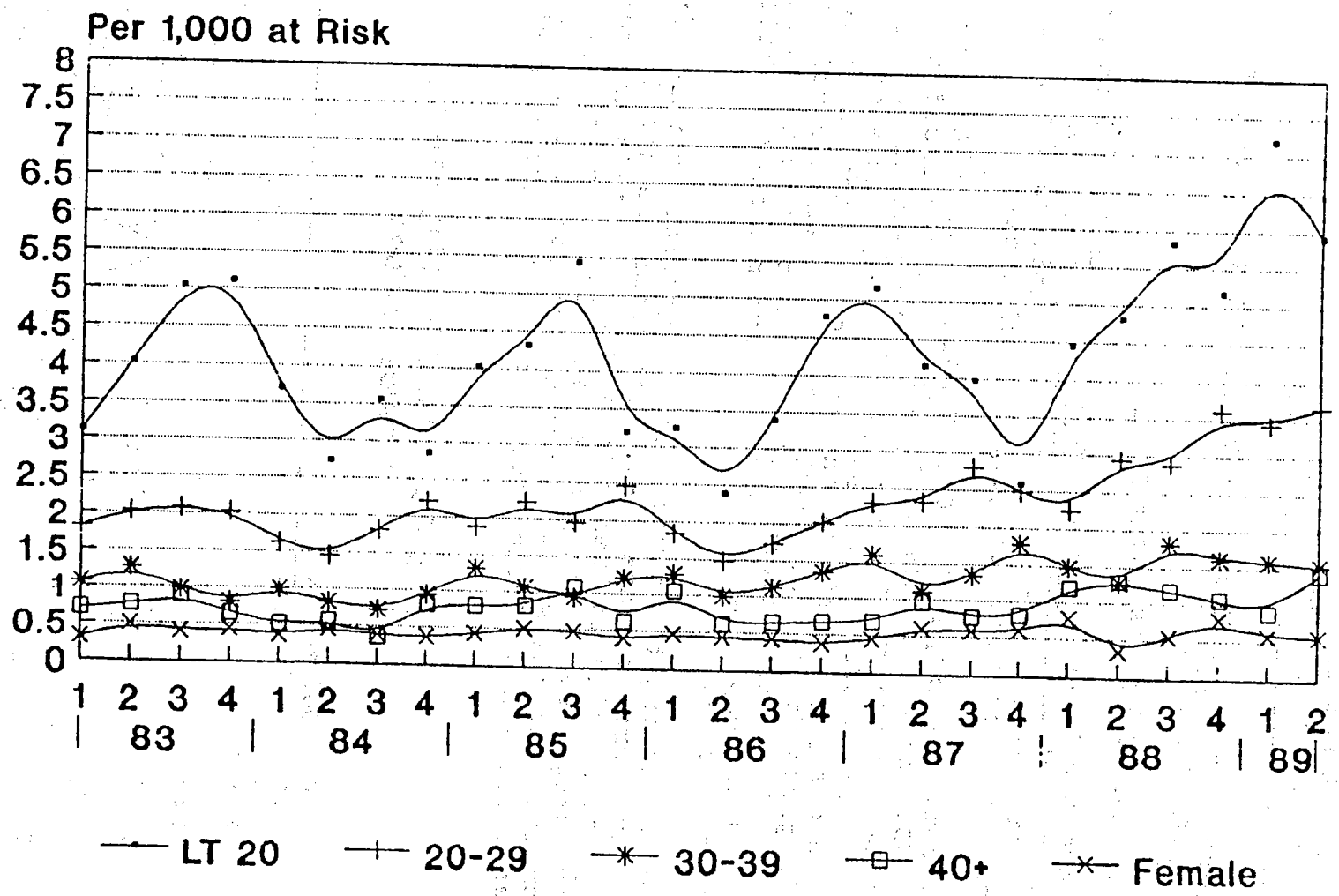
Males 30 to 39 years old and Males 40 +: Starting at 6/89, utilize the trend established from 1/83 to 6/89 and continue it out three years to 6/92, and then stabilize the rate of bookings consistent with the demographic influences for this age group.

Comment: There has been a steadily increasing trend for this age group for the past several years due to increases in crimes including assault, theft, and auto theft.

Females: Starting at 6/89, utilize the historical trend line established from 1/83 to 6/89 and continue it out three years, and then stabilize the rate of bookings consistent with the demographic influences for this gender and age group.

Comment: The female population has experienced a small but steady increase in bookings from 1/83 to 3/89. This is consistent with the increased female involvement in felony offenses.

King County Jail Booking Rates
Presentenced Felons



SECTION IV
Forecast Assumptions
Booking Rates for Sentenced Felons

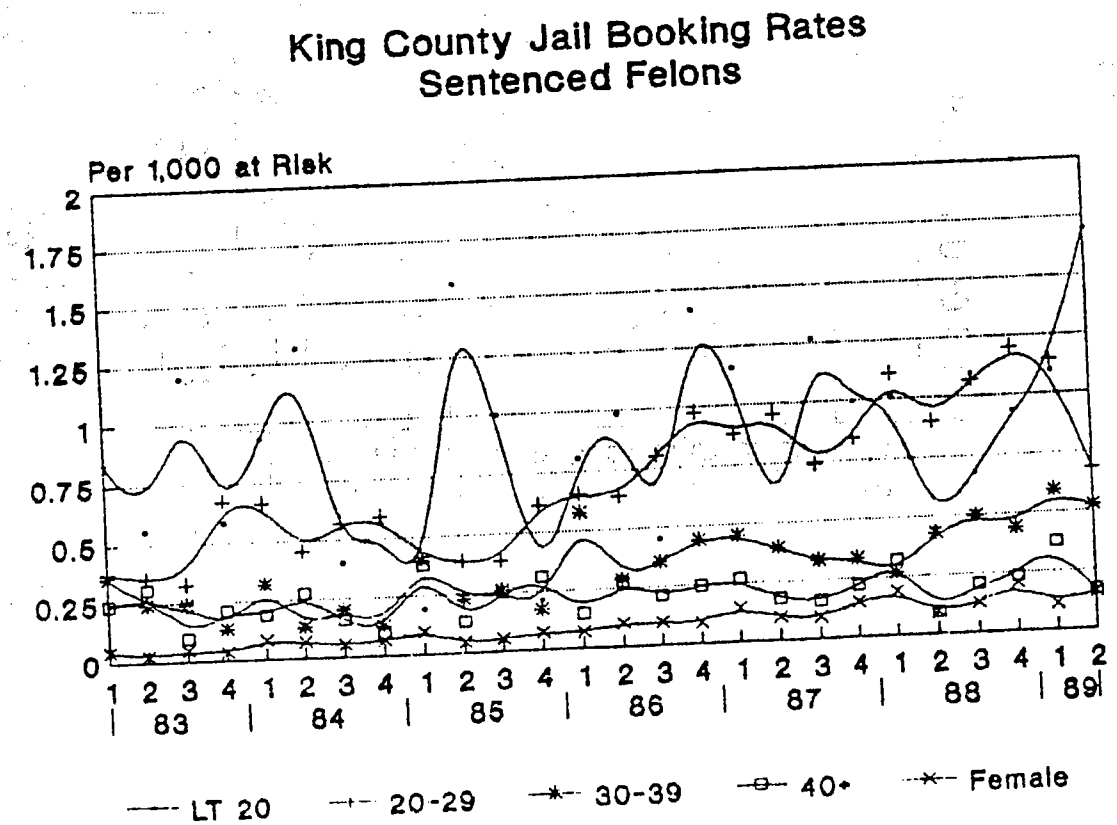
Reference the graph below entitled KING COUNTY JAIL BOOKING RATES -- SENTENCED FELONS.

All Male age groups and Females:

Forecast each male age group and females by utilizing the trend line established from 1/85 through 6/89 and continue these trends out three years to 6/92, and then stabilize the rate of bookings consistent with the demographic influences.

Comment: The graph KING COUNTY JAIL BOOKING RATES -- SENTENCED FELONS, notes the rate of bookings for sentenced males and females by age group per 1,000 in the general county population from 1/83 to 6/89. This population only represents the bookings of felons not in jail at the time of conviction or sentencing. This group consist of mostly 20 to 40 year old male offenders who have (1) no prior record, (2) strong ties to the community (i.e., family and employment), and (3) were released on bail or bond prior to trial.

The increasing trend reflects the general increase in violent and property crimes since 1983. The committee noted that drug cases may not heavily influence this group as it is anticipated that many drug cases receive a sentence longer than a year and are committed to the State Department of Corrections. However, drug cases are a significant component of the jail's sentenced felons.



SECTION IV
Forecast Assumptions
Booking Rates for Presentenced Misdemeanors

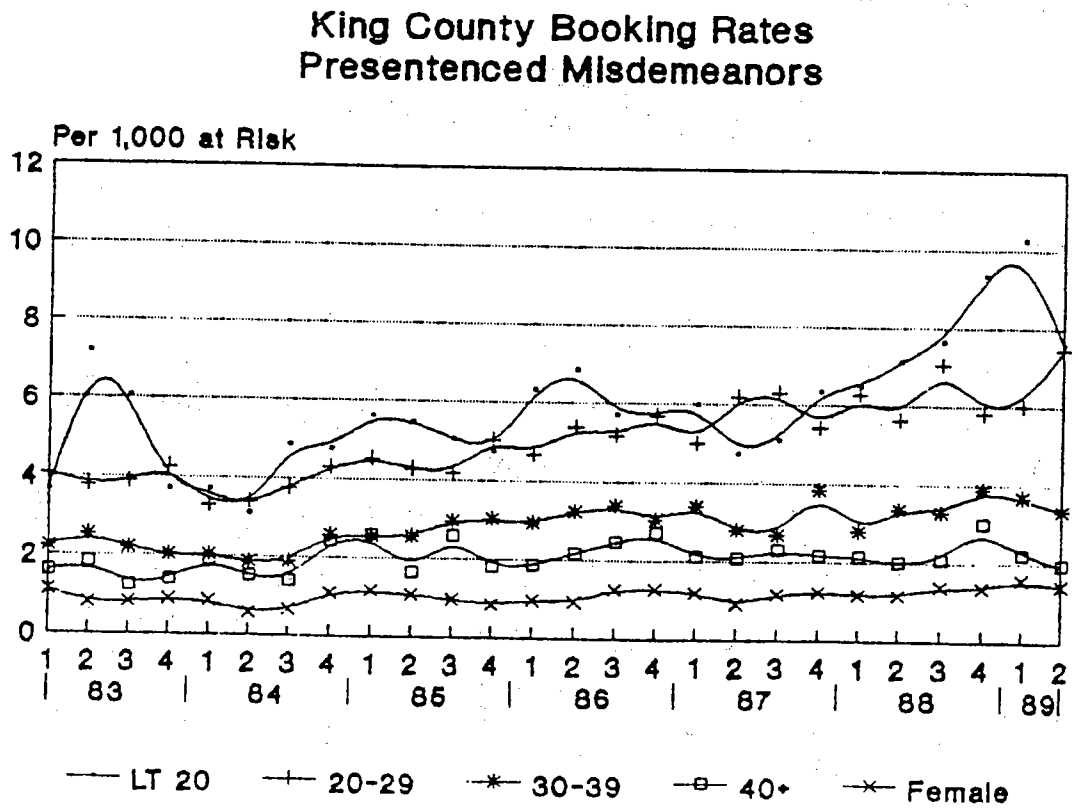
Reference the graph below entitled KING COUNTY JAIL BOOKING RATES -- PRESENTENCED MISDEMEANORS.

All Male age groups and Females:

Starting at 7/89, forecast for each male age group and females utilizing the trend from 1/85 to 6/89. Continue this trend out for three years, then stabilize the rate of bookings consistent with demographic influences.

Comment:

The start of the trend lines at 1/85 reflects the influence of the Domestic Violence Statute which was implemented in September of 1984. The committee requested that the consultant examine the charges associated with the "less than 20" group to help explain the very significant increase in bookings for this group. It was found that this group is being booked primarily by the Seattle Police Department for social control offenses including: prostitution, liquor violations, disorderly conduct, resisting and obstructing arrests, gambling, and obscene materials and communication.



SECTION IV
Forecast Assumptions
Booking Rates for Sentenced Misdemeanors

Reference the graph below entitled KING COUNTY JAIL BOOKING RATES -- SENTENCED MISDEMEANORS.

Males less than 20 years old:

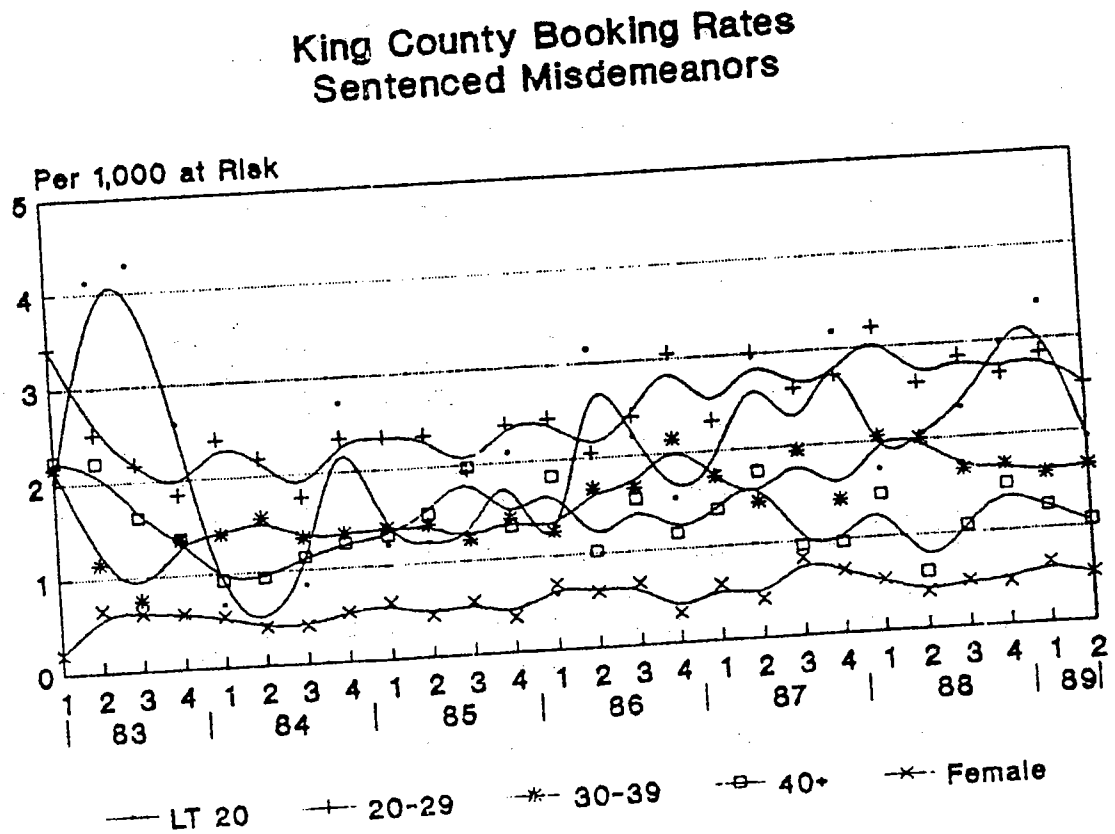
Use the trend line from 9/84 to 6/89 and continue it out for three years, then stabilize the rate of bookings for this group consistent with demographic influences.

All other Male age groups and Females:

Use the 1983 to 1989 trend and continue it out for three years, then stabilize the rates of bookings for each group consistent with demographic influences.

Comment:

The established trend lines reflect the increasing patterns in theft and part II crimes reported since 1983. A future issue to monitor is the one day mandatory sentencing for drug possession cases required by the 1989 Omnibus Drug Bill. The committee acknowledged that this change may not significantly impact the rate of bookings into the correctional facility because of planned flexibility of scheduling these bookings and housing of these offenders at the North Rehabilitation Facility.



FORECASTED KING COUNTY BOOKINGS
BY JAIL STATUS 1988 -- 2010

	FELON		MISDEMEANOR		HOLDS		
	PreSent	Sent	PreSent	Sent	State	Other	TOTAL
1988	884	272	1792	989	139	240	4316
	847	210	1789	792	137	232	4008
	973	265	2029	857	146	250	4521
	1076	302	2083	886	164	264	4775
1989	1015	309	2067	921	177	292	4781
	1065	244	2086	812	164	278	4649
			FORECAST				
	1068	287	1992	917	176	293	4733
	1109	295	2031	929	181	300	4845
1990	1176	302	2070	940	186	308	4981
	1183	311	2110	951	190	315	5059
	1205	319	2151	962	195	322	5153
	1247	327	2191	973	200	329	5266
1991	1314	335	2231	984	204	336	5405
	1321	343	2271	995	209	343	5483
	1344	352	2311	1006	213	350	5575
	1385	360	2351	1017	218	357	5688
1992	1453	368	2390	1027	223	364	5826
	1458	376	2428	1037	227	372	5898
	1479	383	2460	1047	229	374	5972
	1487	383	2460	1047	230	376	5983
1993	1486	383	2460	1047	231	378	5986
	1486	383	2461	1048	232	379	5989
	1486	383	2462	1048	232	379	5990
	1486	383	2462	1049	232	378	5990
1994	1486	383	2463	1049	231	378	5991
	1488	383	2465	1050	231	378	5995
	1489	383	2468	1051	231	377	5999
	1490	383	2470	1052	231	377	6003
1995	1492	383	2473	1053	230	377	6008
	1494	383	2476	1055	230	376	6014
	1496	384	2479	1056	230	376	6021
	1501	384	2486	1059	229	375	6035
1996	1511	386	2499	1063	228	373	6060
1997	1513	385	2499	1061	226	369	6054
1998	1529	388	2524	1070	226	369	6107
1999	1543	391	2544	1078	226	370	6152
2000	1549	392	2548	1079	226	369	6163
2001	1556	393	2552	1080	225	368	6174
2002	1562	394	2556	1080	225	368	6185
2003	1569	394	2560	1081	225	367	6196
2004	1575	395	2564	1082	224	366	6207
2005	1589	399	2583	1090	226	370	6256
2006	1602	402	2602	1097	228	373	6306
2007	1616	406	2622	1105	231	377	6355
2008	1630	409	2641	1112	233	380	6405
2009	1643	413	2660	1119	235	384	6455
2010	1657	416	2680	1127	327	388	6595

Notes: Monthly data by Quarter is end of month counts.
Annual data is end of June estimate.

SECTION IV
Forecast Assumptions
Booking Rates for State and Other Holds

Reference the graph on the facing page entitled KING COUNTY JAIL BOOKINGS -- STATE AND 'OTHER' HOLDS.

State Holds: All Male age groups and Females:

Use the trend line established from 1/86 to 6/89 and continue it out for three years. Then stabilize the rate of bookings consistent with demographic influences.

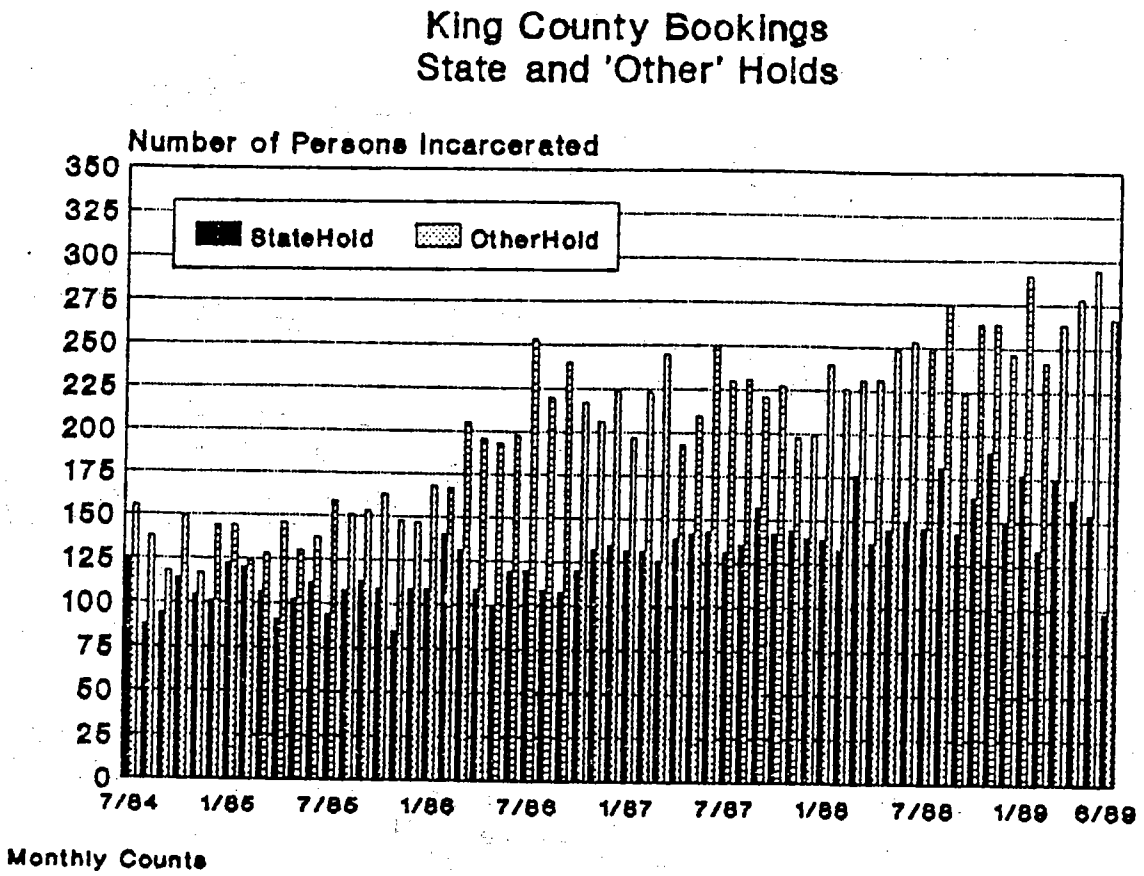
Comment: The new jail opened in 1/86 and "normal operations" resumed (i.e., the criminal justice system began to exercise less discretion in terms of its booking "policies" due to the perception that new capacity existed). Since then there have been counteracting population pressures.

For example, there have been increases in the number of felony convictions which has lead to increases in the number of "state holds" awaiting transfer to state institutions as well as the number of community supervision violators. At the same time, the causes of increasing state hold population have been offset in part by corresponding increases in the trips to transport offenders to state institutions and expedited processing of parole holds cases. The committee noted that on balance there has been a small increase and that this pattern should hold true in the future.

Other Holds: All Male age groups and Females:

Use the trend line established from 1/86 to 6/89 and continue it out for three years. Then stabilize the rates of bookings consistent with demographic influences.

Comment: The 1/86 opening of the new jail contributed to the increase of "other county holds" via the Intrastate Transportation Agreement. The increase is also attributable to increases in the out of state fugitive holds. Administrative decisions to minimize and restrict the booking of immigration or federal holds have helped keep the increasing rate of "other holds" to a minimum.


King County Bookings
State and 'Other' Holds
Number of Persons Incarcerated
350
325
300
275
250
225
200
175
150
125
100
75
50
25
0
StateHold
OtherHold
7/84
1/85
7/85
1/86
7/86
1/87
7/87
1/88
7/88
1/89
6/89
Monthly Counts

ION IV
cast Assumptions
gth of Stay (LOS)
---

erence the graph on the facing page entitled LENGTH OF STAY BY
TUS -- showing presentenced (PSentFel) and sentenced (SentFel)
lons.

esentenced Felons:

pply the mean length of stay for the presentenced felon group
or the last 12 data points from 7/88 to 6/89 to the forecasted
eriod.

omment: While the length of stay has increased for this group
since 1983, it appears to have stabilized in 1988 to 1989. It
was presumed that the proportion of offenders not
bailed/bonded/released own recognizance, is due to the changing
mix of prisoners, which now includes more violent and drug crime
related offenders. This has been offset somewhat by the
Prosecutor's office and DOC's effort to expedite the completion
of presentence investigation reports.

Sentenced Felons:

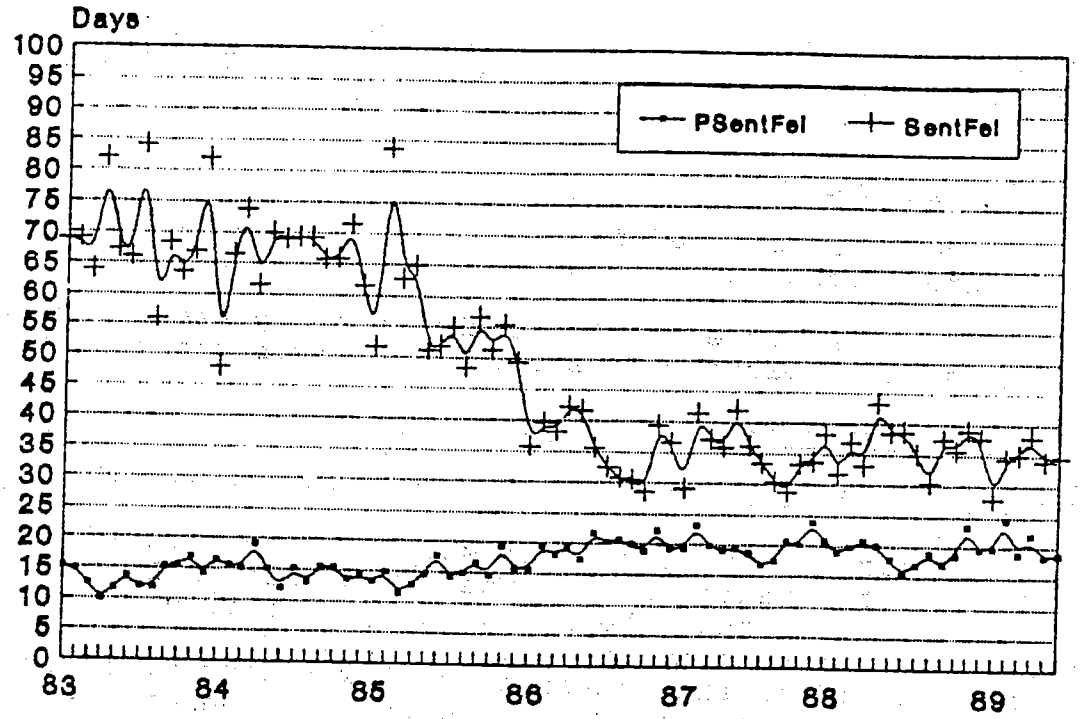
Use the pattern established from 1/87 to 6/89, introducing an
increase of 2.4 days in 1/91 to reflect the impact of the 1989
change to the burglary statutes, then stabilize.

In July 1990, a new law will take effect which increases
penalties for burglary offenses. Based on a Department of Adult
Detention study of the impact of this statute, the length of stay
for convicted burglars can be expected to increase 6.5 percent.
In applying this to the current length of stay for all sentenced
felons, this produces an increase of 2.4 days.

A factor not included in this assumption is the impact of the
recent implementation of a "no good time" policy for sex
offenders, drug offenses and violent crimes. Accordingly, the
committee noted that this length of stay assumption is
conservative and may underestimate future lengths of stay for
sentenced felons.

Comment: The committee noted that the decrease in length of stay
for sentenced felons between 1984 and 1989 was due to the
implementation of the Sentencing Reform Act of 1984. While it
was noted that judges may begin to sentence at a higher level
within the range due to the community's concern with drug and
violent crime, the committee adopted the more conservative
assumption that judges would continue to sentence consistent with
the current patterns.

Length of Stay: Felony Jail Status
Average LOS in Days



SECTION IV
Forecast Assumptions
Length of Stay (LOS)

Reference the graph below entitled LENGTH OF STAY BY STATUS -- showing presentenced (PSentMis) and sentenced (SentMis) misdemeanors.

Presentenced Misdemeanors:

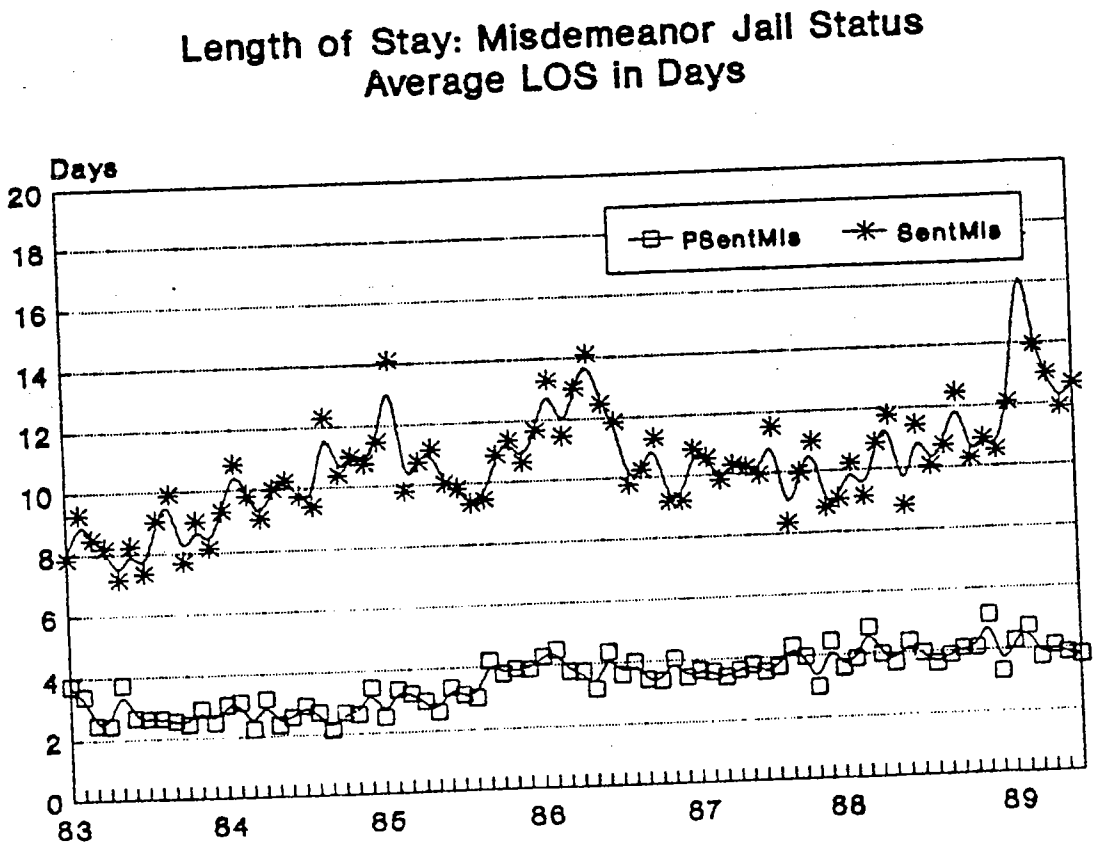
Using the mean established from 8/85 to 6/89, continue the trend out for three years, then stabilize.

Comment: The committee concluded that such an assumption was rational as it is based on a stable and consistent pattern.

Sentenced Misdemeanors:

Assume sentenced misdemeanors will serve an average of 13 days.

Comment: A thirteen day length of stay was experienced in 1985 and 1986, and has reappeared in the first half of 1989. The committee concluded that the 13 day length of stay is expected to continue due to the reaction of the judiciary to the increased seriousness of offenders presented to lower courts, often as a result of felony cases being plead down to misdemeanors. The committee considered, but rejected, utilizing the trend from 1/88 to 6/89. Utilization of this trend would have resulted in an annual incremental increase for sentenced misdemeanor length of stay.



SECTION V
Profiles of the King County Jail
Changing Jail Populations -- Crime Profile

In terms of the types of persons and the speed by which they must be processed, a jail represents one of the most complex organizations known. Adding to this everyday complexity, is the fact that the types of crime for which persons are presented to jails also change. Three graphs in this section, entitled "CRIME TYPE AT BOOKING", show how dramatically the mix of crimes in the jail population have changed in a short period of time. These graphs show the types of bookings as percentage of bookings for the different types of crimes between 1983 and 1989.

Technical Note: Using percentage change over time provides a sensitive indicator for showing changing patterns, because as an increase in one category appears there must be a decrease in one or more of the other categories.

The first graph in this series is on the facing page -- CHANGING MIX OF CRIMES. It shows the changing relationships between drug related, violent, property, and miscellaneous crimes. In a five and one-half year period, three distinct jail environments have emerged. Each of these environments have impacted jail classification and operations.

<u>Period I:</u> The Traditional Jail
1983 to the Third Quarter of 1984

Between 1983 and the third quarter of 1984, the King County jail population represents what might be called a traditional jail population. The Miscellaneous category which includes mostly social order crimes such as -- liquor violations, disorderly conduct, resisting or obstructing arrests, gambling,and prostitution is the highest frequency type of booking. The high percentage of these types of offenders depicts a jail that is serving as a resource to help maintain social order in the communities. Social order bookings are followed by the most frequent reported crime category -- property crimes, and that is followed by the smaller number of reported violent crimes, and finally by drugs.

<u>Period II:</u> Violent and Property Crime Emerge
Fourth Quarter 1984 to Third Quarter 1986

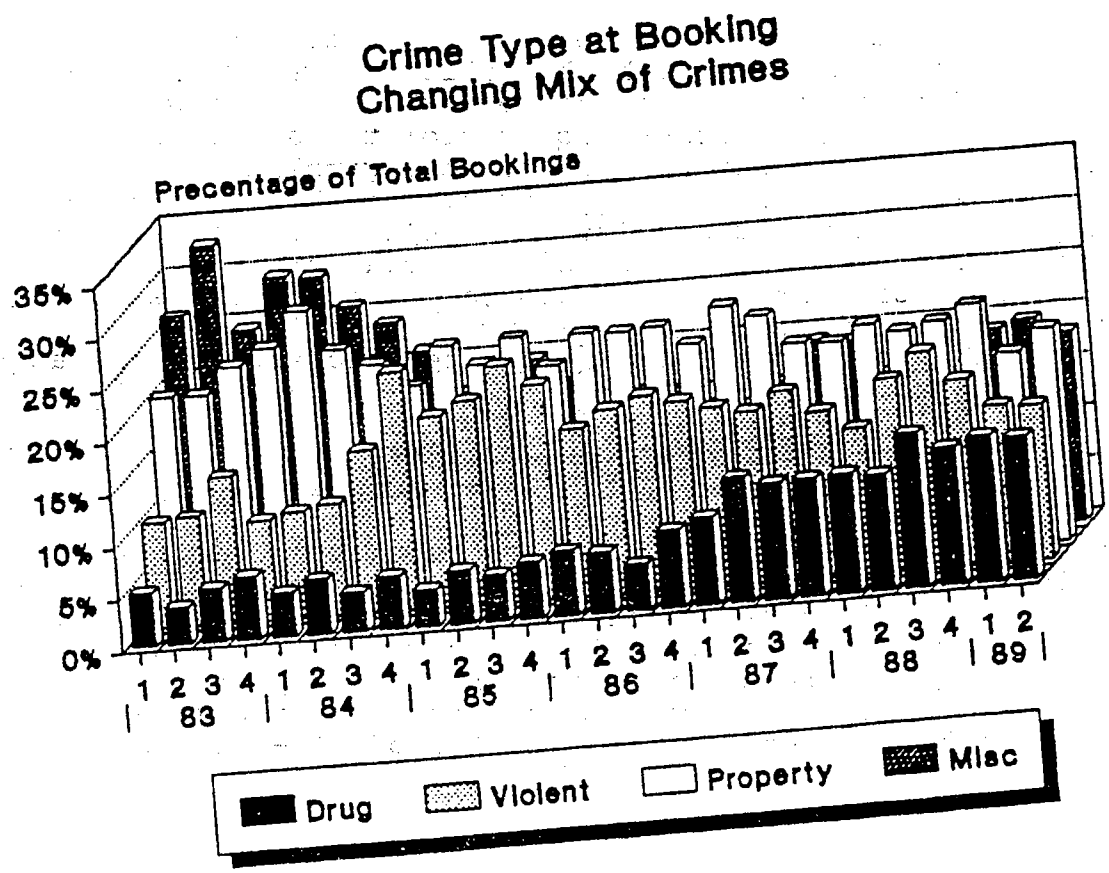
By 1985, mirroring the rapid increase in reported violent crime, the booking for violent crime increased significantly. At the same time, reported property crime was also increasing. This kept property crime bookings high. Proportionally, social order bookings declined in relation to violent and property crime bookings. The number of social order bookings decreased by about 35 percent between Period I and Period II -- but at the

ne time violent crime bookings increased by about 110 percent. operty crimes increased by about 25 percent.

riod III: Drugs, Violent, and Property Crimes
Fourth Quarter 1986 to Present

tarting in the fourth quarter of 1986, the proportion of drug elated bookings increased very rapidly. In fact between 1984 nd 1989, drug offense bookings grew more than threefold. This akes on even more meaning when it is understood that a hierarchy as used to select the type of crime when there is more than one harge at booking. This hierarchy or selection criteria puts rugs after violent and property crimes. Therefore, the increase n drug related offenses is underreported to the extent that rugs are a part of the property and violent offenses.

Another shift may be beginning in 1989. Although the rapid increase in the proportion of drug related offenses has only minimally impacted the proportion of violent and property crime bookings, it appears as though the social order bookings have increased proportionately. In the younger age groups, (especially males less than 20 years old), there is a newly emerging number of bookings for social order offenses. Between the first quarter of 1988 and the first quarter of 1989 the miscellaneous bookings (the proxy for social order offenses) increased by about 50 percent.

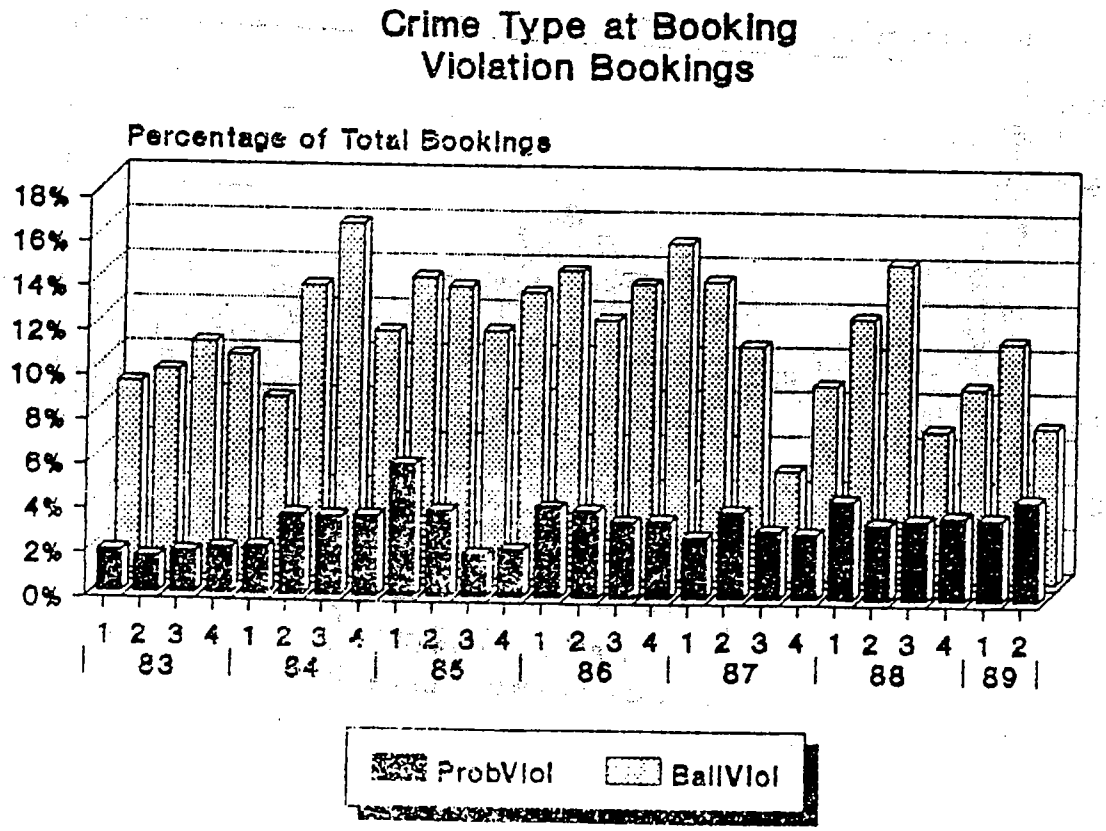


SECTION V
Profiles of the King County Jail
Changing Jail Populations - Probation and Bail Violations

The graph below shows the percentage shifts for bookings and admissions for probation and bail violations.

Between 1984 and 1986, probation violations were in the process of becoming Sentencing Reform Act (SRA) violations. After 1986 the vast majority of probation violations are SRA, community supervision violations. Under the SRA, community supervision violators can serve up to 60 days in jail. It is not anticipated by the assumption setting work group that there will be any significant change in the proportion of SRA community supervision violations.

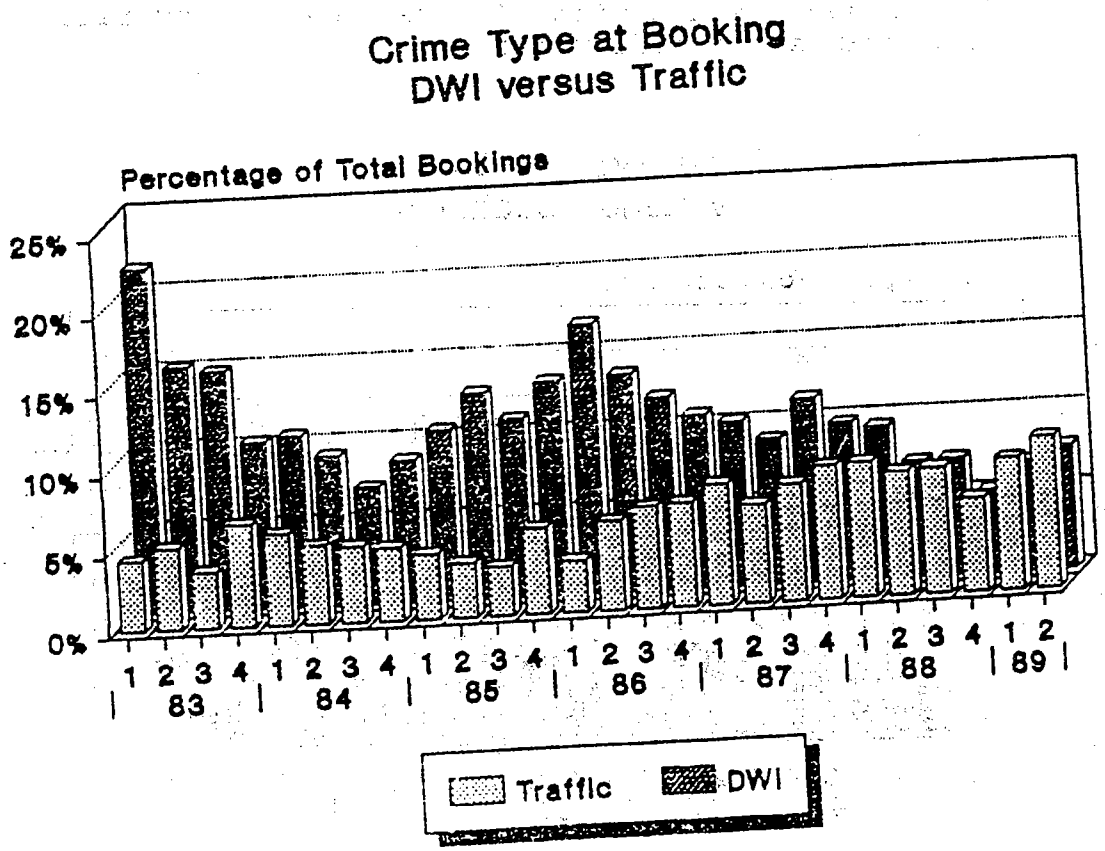
Bail violations are associated with the risk of releasing defendants prior to the court hearing. Many bail violations are for failure to appear at a scheduled court hearing. As the criminal justice system becomes burdened with work, as it is now with violent, property, and drug related offenses, it is not uncommon for police or court warrant officers to spend less time actively tracking down misdemeanor bail violators. In high work load periods, the police and courts are more likely to use passive means of apprehending bail violators, such as routine traffic stops where suspects are checked for outstanding warrants in the state computer files. The period following the third quarter of 1987 depicts a period of passive activity relating to misdemeanor warrants for bail violation.



SECTION V
Profiles of the King County Jail
Changing Jail Populations -- DWI and Criminal Traffic Offenses

The graph below shows the changing pattern of bookings for driving while intoxicated and "other" traffic offenses. Between 1984 and 1989, the actual number of DWI bookings actually decreased by about 5 percent. This decrease in bookings, when most other types of bookings were increasing, caused the proportion of DWI bookings to decrease from 15 percent of total bookings to about 5 percent.

Since 1986, there has been a gradual increase in the number and the proportion of bookings for "other" traffic offenses. Many of the bookings for other traffic offenses are for driving with a suspended license. In many cases, these defendants are repeat DWI offenders apprehended while driving with a suspended drivers license. It is difficult to tell with any certainty from these data, but the number of first time DWI offenses may have stabilized, while most of the offenders now booked on suspended drivers license violations are individuals who previously were convicted and sentenced for DWI violations.



SECTION V
Profiles of the King County Jail
Changing Jail Populations -- Race, Gender and Age

In the past year King County jail admissions, as the table below shows, have been about 61 percent White, 33 and 1/2 percent Black, 3 percent American Indian, and about 1 and 1/2 percent Asian. The remainder of offenders' race are reported as unknown (1 percent).

Except for the White and Black percentages, the mixture of the races at admission has been relatively stable. There has been a gradual decrease in the percentage of Whites being booked from 70 percent in 1983 to 62 percent in 1989. Blacks, on the other hand have experienced an increase in the percentage of bookings from about 24 percent to about 33 percent.

When the combined age/race categories are examined, the greatest percentage of admissions are: White males 20-29 years old -- 27 percent of the admissions, White males 30-39 years old -- 14 percent of the admissions, Black males 20-29 years old -- 11.5 percent of the admissions and Black males 30-39 years old -- 9 percent of the admissions.

Females, which make up about 15 percent of the admissions are made up of 54 percent Whites and 40 percent Blacks. Proportionately, Black females are more likely to be booked than Black males.

PERCENTAGE OF BOOKINGS
BY RACE, GENDER, AND AGE
1988 -- 1989

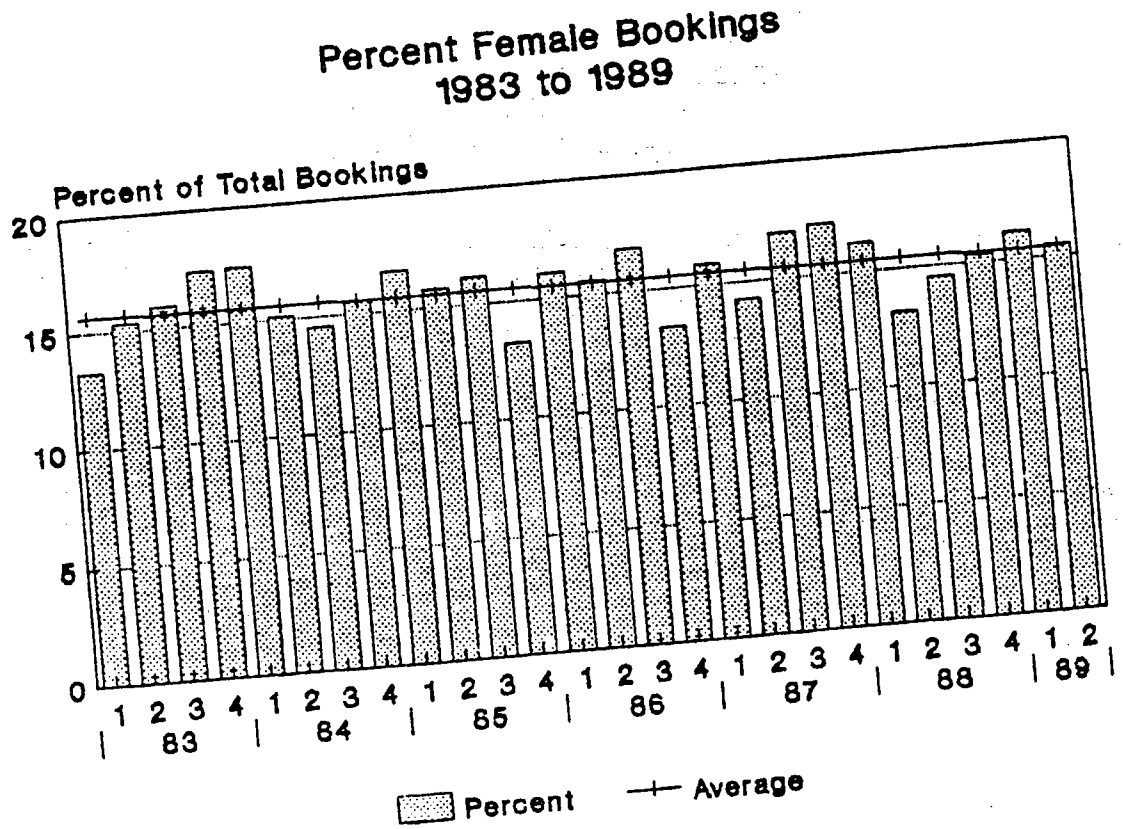
Age	White	Black	Indian	Asian		Male Age Totals
Less 20	5.0%	3.2%	.1%	.3%		8.6%
20 -- 29	27.0	11.5	1.0	.7		40.2
30 -- 39	14.0	8.8	.6	.4		23.8
40 &Older	6.8	8.8	.5	.2		11.3
Male/Race	52.8	27.3	2.2	1.6	Male	83.9%
Female/Race	8.4	6.2	.7	.1	Female	15.4%
Race Total	61.2%	33.5%	2.9%	1.7%		
				Total Known		99.3%
				Unknown		.7%

ECTION V
rofiles of the King County Jail
hanging Jail Populations -- Female

In 1989, women made up about 15 percent of the jail admissions. As the chart below shows, this percentage has remained relatively constant even though there has been some fluctuation over time.

Females are more likely to be booked for a presentenced misdemeanor charge than any other status. In this category, females make up between 16 and 19 percent of the admissions. In the last two years females have begun to appear on a regular basis in the "state hold" category where they make up about 10 to 14 percent of the admissions.

The combination of relatively steady admissions with heavy representation in the short term jail statuses means that the percentage of the jail population that is made up of females is unlikely to change much in the future. In 1988, the female jail population averaged about 11 percent females. There is a chance, however, that the female population will decrease slightly in the next two to three years. The assumptions relating to bookings show a disproportionate increase for males, especially males between 18 and 29. To the extent that the rate of increase for bookings of this category actually exceeds female bookings, there is a chance that the female population will, percentage-wise, be smaller in the future.



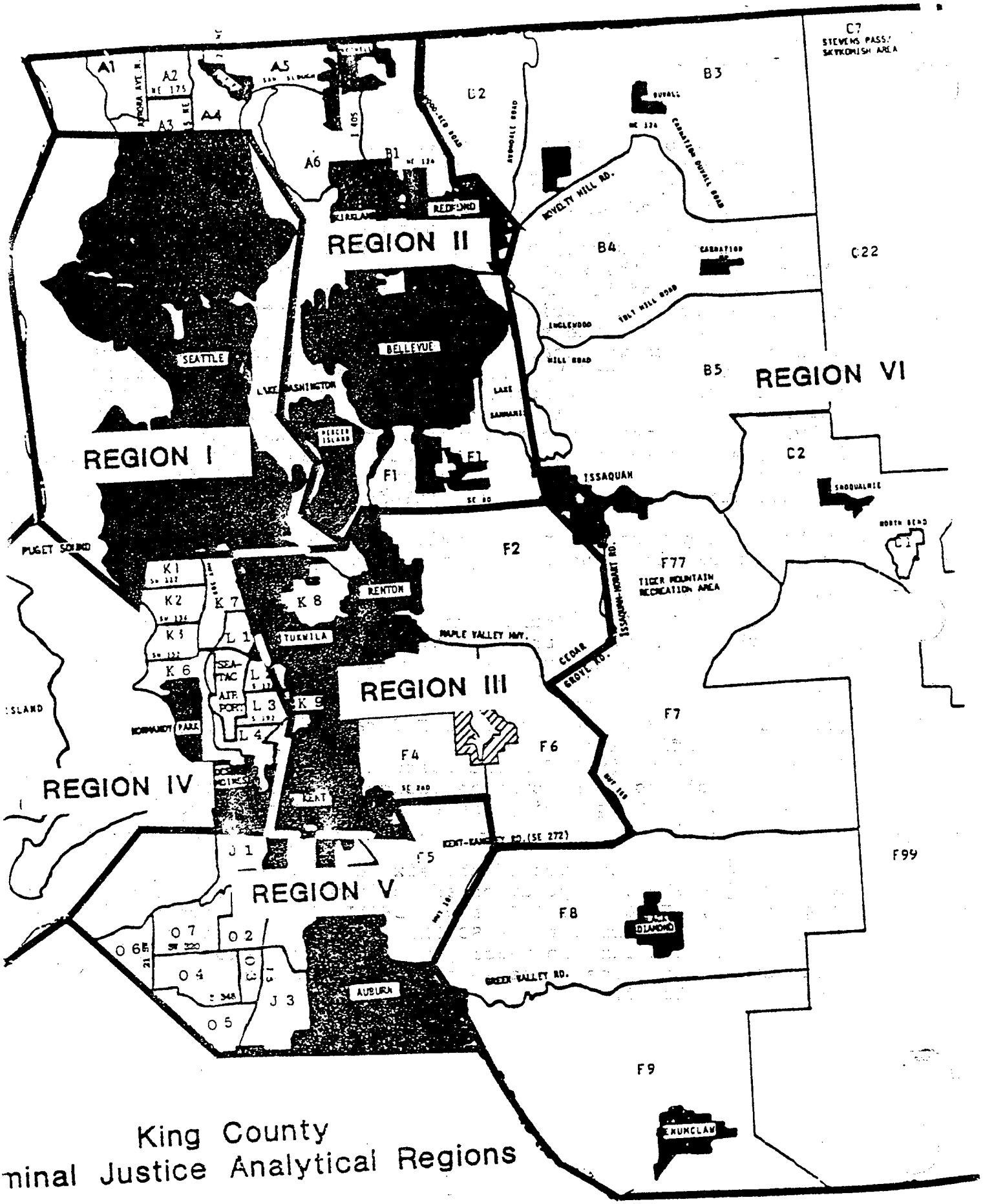
SECTION VI
Regional Patterns

This section of the study examines three measures of regional change within King County as they relate to the jail population and operations. The first measure examined is the historical and the projected shift of the population among the King County regions. A shifting population serves as one indicator of changing workloads for the criminal justice system. In general, the more people there are in a region the more likely the need for a full set of law enforcement functions. The second measure is the change in historical reported crime patterns in the county. Reported crime serves as a more specific indicator of criminal justice workload. Finally, the historical booking patterns are examined by the regional address of prisoners presented to the jail. Booking patterns provide an interesting examination of criminal justice workloads. Booking patterns provide more detail than reported crime because we are able to look at more than the 8 Index Crimes. In addition to examining patterns of other crimes such as drugs, an examination of parole and probation bookings is also included.

On the facing page a map is provided to identify the regions used in this analysis. The six regions are:

(1) "SEATTLE";
(2) "NORTHWEST" King County which includes the Shoreline area, Bothell, Redmond, and Bellevue;
(3) "RENTON" which includes Renton and the Kent area;
(4) "SEATAC" which includes Burien, the Seatac area, and Vashon Island;
(5) "FEDERAL WAY" which includes Federal Way, Auburn, and Pacific, and;
(6) "RURAL" which includes the Eastern portion of King County and includes such towns as Issaquah, Duvall, Carnation, Fall City, Snoqualmie, Maple Valley, Black Diamond, and Enumclaw.

In addition to using each of the six regions to display the decentralization of population and criminal justice indicators in King County, RENTON, SEATAC, and FEDERAL WAY are combined into a single region referred to as SOUTH. As the regional analysis progressed, it became increasingly clear, even though there are differences, that the three southern regions were actually a region unto itself.



King County
minal Justice Analytical Regions

SECTION VI
Regional Patterns
Population

In 1975 the population of King County was approximately 1,226,600 persons. By 1980, it had grown to 1,269,700, an increase of 3.5 percent. By 1985, the county's population had reached an estimated 1,364,400, a 7.5 percent increase over the 1980 population. In 1990, the county's population is estimated to be 1,458,800, an increase of 7 percent increase over 1985.

Moreover by year 2000, the King County population is projected to be around 1,697,500, an increase of 38 percent over the 1975 population. By 2010, almost 2 million people could be living in King County.

As the graph and chart on the facing page show, most of the population growth is expected in the non-Seattle portion of the county. In 1975, Seattle was very much the center of King County's population, making up about 42 percent of the population. By 1990 Seattle's proportion of the county's population will have declined to 34 percent, and by 2000 it will be no higher than 30 percent. If current demographic assumptions hold, Seattle will be third in size behind the South and Northwest regions in 2015. (The South will be the largest region by 1995.)

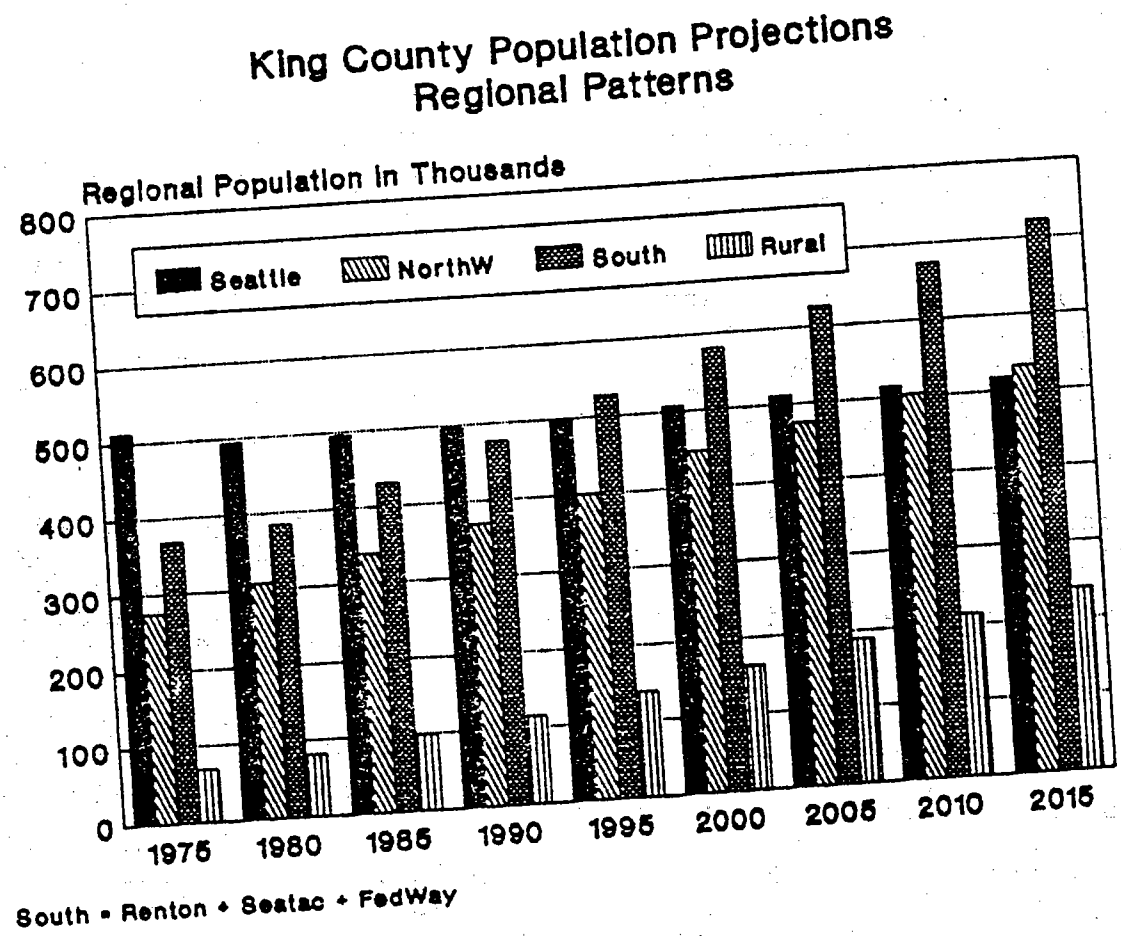
Even so, Seattle is projected to grow in the future (an increase of 11,500 is expected between 1990 and 2000), although the growth in the surrounding regions is expected to be much more rapid. By 2000, the Northwest region will be about 448,000 in population -- an increase of 75,300. This is almost the size of Seattle today. By 2000, the Renton region will be about 225,000 which almost doubles its 1975 population.

The Federal Way region is another rapidly growing area. This region's population is expected to increase 205,400 persons by 2000, an increase of over 88 percent over its 1975 level. The slowest growing region is the Seatac region which is expected to increase to 149,600 persons by 2000 -- an increase of 11,000 over 1990.

If the I-5 corridor south of Seattle is considered a single region "South" (i.e., if the Renton, Seatac, and Federal Way regions are combined), it represents the fastest growing and largest region in the county. Between 1989 and 2000, the "South" will have increased by 24 percent (even including the relatively stable population projected for the Seatac region) and will include about 580,000 persons. In 2000, the "South" will be about 73,000 persons larger than Seattle and about 132,000 persons larger than the Northwest region.

The Rural region of King County will not remain the smallest region in King County. By 1997, the eastern part of King County

will have about 148,000 persons in it; compared to the Seatac region which will have only 146,000 persons. By 2005, the Rural region is projected to have 187,500 persons in it. This is larger than Renton, Seatac, or Federal Way regions today. Most of the rural growth is expected in the area east of Redmond and north of Issaquah.



KING COUNTY POPULATION PROJECTIONS
REGIONAL PATTERNS (in Thousands)

Region	1975	1980	1985	1990	1995	2000	2005	2010	2015
Seattle	512	494	495	496	501	507	511	514	518
NorthWest	276	309	340	370	400	448	476	504	533
South	369	384	431	477	528	580	627	674	722
Renton	120	135	155	175	200	225	250	275	300
Seatac	140	127	133	139	144	150	153	156	160
FedWay	109	122	143	163	184	205	224	243	262
Rural	69	82	99	116	139	163	188	213	238
Total	1,226	1,269	1,365	1,459	1,568	1,698	1,802	1,905	2,011

Note:
- NorthWest includes the Shoreline area, Bothell, Redmond, and Bellevue.
- South includes the regions Renton (Renton and Kent), Seatac (Burien, Seatac, Vashon), and FedWay (Federal Way, Auburn, Pacific).
- Rural includes the eastern portion of King County and includes such towns as Issaquah, Duvall, Carnation, Fall City, Snoqualmie, Maple Valley, Black Diamond, and Enumclaw.

SECTION VI
Regional Patterns
Reported Crime

Crime, like population, is beginning to decentralize. When crime is projected using 1988 crime rates, it shows a rapidly decreasing percentage of violent crime being located in Seattle. In addition by 1997 there could be more property crime in non- Seattle regions than in Seattle. By 2000, a 50 - 50 split for total crime could exist between Seattle and the remainder of the county. Not included in this projection, is the expected shift of higher crime rates as areas outside of Seattle move through the stages of being rural, suburban, and urban. Traditionally, crime rates are much higher in urban settings. As the Northwest and the South regions become more urban the effect will be to accelerate the trends reported in this report, including increases in violent and serious property crime and increases in presentenced prisoner bookings. This may have implications for jail siting and operational program decisions.

Reported Violent Crime

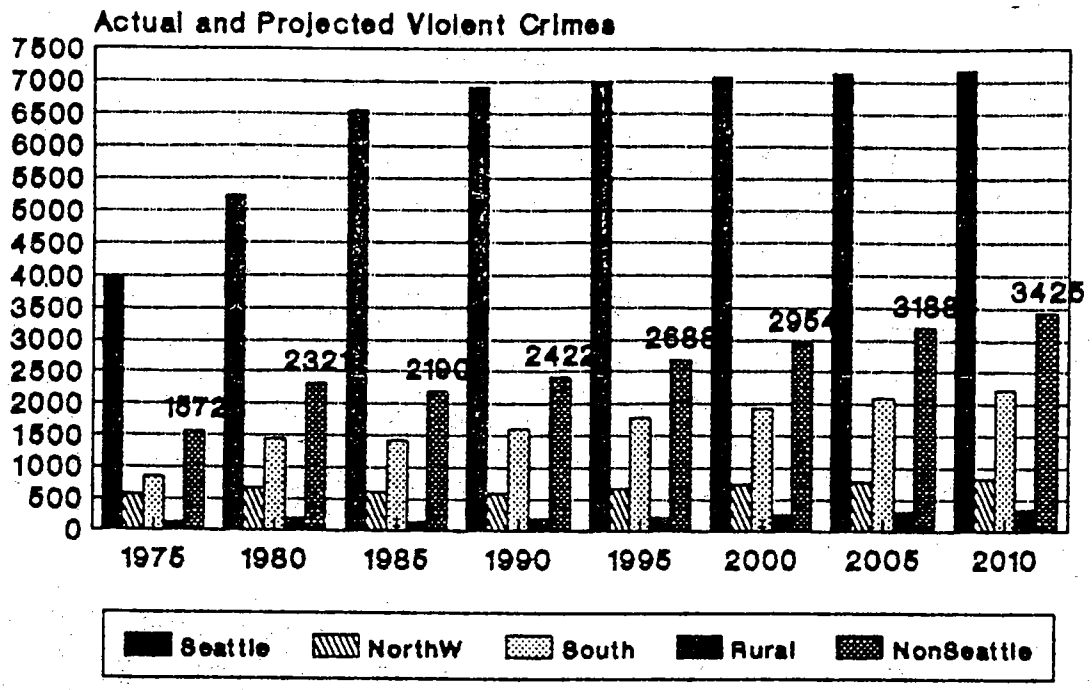
Currently, Seattle's reported violent crime rate of 14 per 1000 persons is at least three times as high as any of the other five county regions. The Seatac region is ranked second at 4.3 per 1000 persons, and the Northwest region is lowest ranked at 1.7 per 1000 persons.

These different crime rates result in significantly different regional patterns of violent crime. For instance, in 1988 Seattle had 6916 reported violent crimes and the Northwest region had 592. The "South" regions (consisting of Renton, Seatac, and Federal Way regions), in combination, had 1559 reported violent crimes in 1988.

There has been a general increase in reported violent crime throughout the county since 1983 -- the most recent low point after the high rates in 1980. Seattle peaked in 1987 at 14.4 per 1000 persons and realized a decline in 1988 to 14 per 1000 persons -- the first since 1983. In the non-Seattle regions, the trend is most prominent in the Seatac and the Federal Way regions. Both of these regions reached high points for reported violent crime in 1988. In 1988, the Federal Way region had a violent crime rate of 3.3 per 1000 persons which is 33 percent higher than the 1983 level. In 1988, the Seatac region had a violent crime rate of 4.3 per 1000 which is just under its all time 1982 high of 4.5 per 1000; however, the 1988 rate is 50 percent higher than its 1983 violent crime rate.

While Seattle's violent crime rate has shown some indication of slowing down, the South regions' violent crime rates have increased steadily since 1983. For instance, the number of reported violent crimes in the South regions have increased 43 percent since 1983, from 1080 to 1539 reported violent crimes. The most significant increases have been for robbery and aggravated assault.

King County Reported Violent Crimes
Regional Patterns



South = Renton + Seatac + FedWay
NonSeattle = NorthW + South + Rural

ACTUAL AND PROJECTED
NUMBER KING COUNTY VIOLENT CRIMES
BY REGION

Region	1975	1980	1985	1990	1995	2000	2005	2010
Seattle	4,001	5,213	6,544	6,923	6,998	7,074	7,125	7,176
NorthWest	584	671	621	612	677	742	788	835
South	851	1,449	1,416	1,613	1,775	1,936	2,082	2,229
Renton	341	511	485	488	558	627	697	768
Seatac	306	558	487	593	616	639	653	667
FedWay	204	380	444	532	601	670	732	794
Rural	137	201	153	197	236	276	318	361
Total	5,573	7,534	8,734	9,344	9,686	10,028	10,314	10,601

Note:
- NorthWest includes the Shoreline area, Bothell, Redmond, and Bellevue.
- South includes the regions Renton (Renton and Kent), Seatac (Burien, Seatac, Vashon), and FedWay (Federal Way, Auburn, Pacific).
- Rural includes the eastern portion of King County and includes such towns as Issaquah, Duvall, Carnation, Fall City, Snoqualmie, Maple Valley, Black Diamond, and Enumclaw.

Reported Property Crime

The split for reported property crime is 53 - 47 with the larger portion attributed to Seattle and the smaller portion to the remainder of the county. Holding property crime rates stable at the 1988 levels produces a projection that shows the majority of property crimes being committed in the non-Seattle regions by 1997. In 2010, the projection shows Seattle 45 percent and the remainder of the county 55 percent.

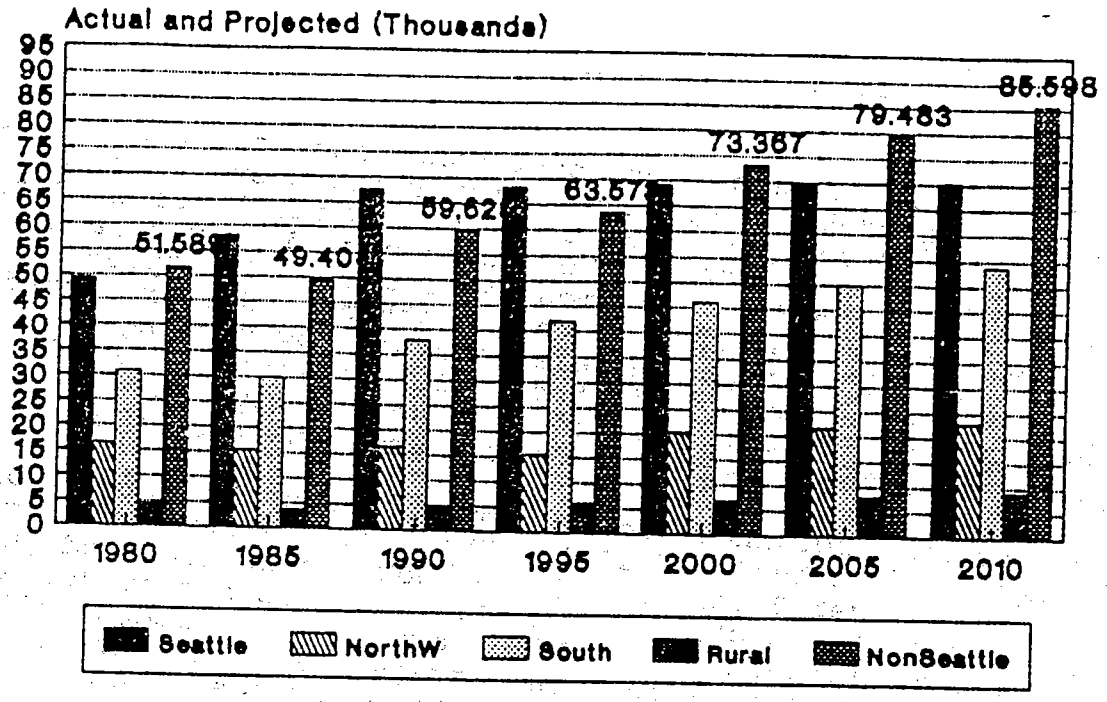
Currently, Seattle has the highest property crime rate with 136 reported crimes per 1000 persons. In 1988 this crime rate produced a volume of 67,300 reported property crimes. The next highest region in terms of the number of reported crimes is the Northwest region. The Northwest region has the second to the lowest reported crime rate (45.4 per 1000 -- about one-third of Seattle's), but it has the largest current population among the non-Seattle regions, which produces the high volume of reported crime.

The South regions -- consisting of the Renton, Seatac, and Federal Way regions -- have property crime rates about twice that found in the Northwest region. The average for the three regions in 1988 was 79.7 reported crimes per 1000 persons. The number of reported crimes in the South regions was 36,550. At current crime rates, the number of reported property crimes in the South regions in 2000 will total 46,100. The growth in the South regions is the main reason that Seattle would no longer have the majority of reported property crimes. The South regions increase their percentage share from 29 percent to 32 percent between 1988 and 2000, while Seattle's decreases by 5 percentage points from 53 to 48 percent.

Four out of the six King County regions show a very similar pattern relating to the increase in reported property crime rates. Auto theft and larceny tell the story. In Seattle and the South regions, the auto theft rate has increased significantly. In Seattle, the auto theft rate was 4.7 per 1000 persons in 1984. In 1988 it was 11.7 per 1000 persons. In 1984 for the South regions auto theft averaged 3.1 per 1000 persons. In 1988 it was 6.5 per 1000. In these four regions there were 8561 cars reported stolen in 1988. This is 5072 more cars than were reported stolen in the same regions in 1984 -- a 145 percent increase.

The larceny rates also increased significantly in three regions. In Seattle, the reported larceny rate increased from 67 per 1000 persons in 1982 to 88.9 per 1000 persons in 1988. In the Renton region the larceny rate increased from 50 per 1000 in 1984 to 61 per 1000 in 1988. In the Seatac region the increase was from 38.2 per 1000 persons to 50.3 per 1000. The impact for the increased rates in these three regions was from 44,800 reported larcenies to 59,900 -- a 34 percent increase within only four to six years.

King County Reported Property Crimes
Regional Patterns



South = Renton + Seatac + FedWay
NonSeattle = NorthW + South + Rural

ACTUAL AND PROJECTED
NUMBER KING COUNTY PROPERTY CRIMES
BY REGION

Region	1980	1985	1990	1995	2000	2005	2010
Seattle	49,311	58,065	67,627	68,364	69,101	69,600	70,099
NorthWest	16,528	15,609	16,785	18,562	20,339	21,618	22,898
South	30,753	29,961	37,908	42,016	46,125	49,898	53,670
Renton	11,400	10,418	13,682	15,639	17,597	19,564	21,530
Seatac	8,961	9,269	10,944	11,372	11,800	12,061	12,322
FedWay	10,392	10,274	13,282	15,005	16,728	18,273	19,818
Rural	4,308	3,834	4,932	5,918	6,903	7,967	9,030
Total	100,900	107,469	127,252	134,860	142,468	149,083	155,697

Note:
- NorthWest includes the Shoreline area, Bothell, Redmond, and Bellevue.
- South includes the regions Renton (Renton and Kent), Seatac (Burien, Seatac, Vashon), and FedWay (Federal Way, Auburn, Pacific).
- Rural includes the eastern portion of King County and includes such towns as Issaquah, Duvall, Carnation, Fall City, Snoqualmie, Maple Valley, Black Diamond, and Enumclaw.

ECTION VI
egional Patterns
ookings

This analysis is based on the pre-post comparison for the number and percentage of bookings by King County regions over a five year period. The "pre" period is the last six months of 1983 and the first six months of 1984. The "post" period is the last six months of 1988 and the first six months of 1989. The "pre" period is referred to as 1984 and the "post" period is referred to as 1989. Bookings by region were developed by sorting the town and zip code of the defendant or offender into one of the six regions or, into categories named "other county" (counties other than King within Washington State) and "other states".

The "other county" bookings account for just over 12 percent of the bookings in both 1984 and 1989. The "other state" bookings account for just over 2 percent of the bookings in 1984 and just over 1 percent of the bookings in 1989. One reason that "other county" bookings maintained a booking level of 12 percent while other state bookings decreased a percentage point, is due to the Intrastate Transportation Agreement between counties that provides for holding other counties' prisoners for short periods of time. This agreement was signed in 1984 but the King County Department of Adult Detention was not able to fully participate until 1986 when the new jail opened. Because King County is a major regional center for employment and recreation, there are a small percentage of crimes committed in King County by persons who officially reside in other counties. This also contributes to the "other county" percentage of total bookings.

The table displayed on the following page and the graph on the page 66 provide information relating to the percentage of bookings by region and the percentage change for bookings for crime types.

PERCENTAGE CHANGE IN THE VOLUMES OF BOOKINGS -
BY REGION AND CRIME TYPE: 1989 VS. 1984

	Crime Type:						
Region	Viol	Prop	Drug	Prob	DWI	Traf	MISC
Seattle	142 %	39 %	572 %	41 %	-26 %	238 %	32 %
NorthWest	306	12	137	44	13	72	-16
South							
Renton	117	-16	92	18	30	209	-27
Seatac	96	34	130	65	-25	88	-10
FedWay	194	58	50	50	200	44	-32
Rural	160	29	100	225	80	-11	0
Other Cty	122	70	210	117	-17	122	-26
Other St	80	46	100	20	-50	300	-40

Note:
- NorthWest includes the Shoreline area, Bothell, Redmond, and Bellevue.
- South includes the regions Renton (Renton and Kent), Seatac (Burien, Seatac, Vashon), and FedWay (Federal Way, Auburn, Pacific).
- Rural includes the eastern portion of King County and includes such towns as Issaquah, Duvall, Carnation, Fall City, Snoqualmie, Maple Valley, Black Diamond, and Enumclaw.

The most remarkable change is the increase in Seattle's percentage of bookings from 51 percent in 1984 to 57 percent in 1989. This increase was not due to increases in bookings for violent crimes, property crimes, probation and parole violations, or DWI. In fact, in each of these categories, Seattle was only average or even lower than other regions for the percentage increase between 1984 and 1989. The major reason that Seattle's percentage of bookings increased so significantly was the dramatic increase in the number of bookings for drugs, miscellaneous (social order), and traffic offenses.

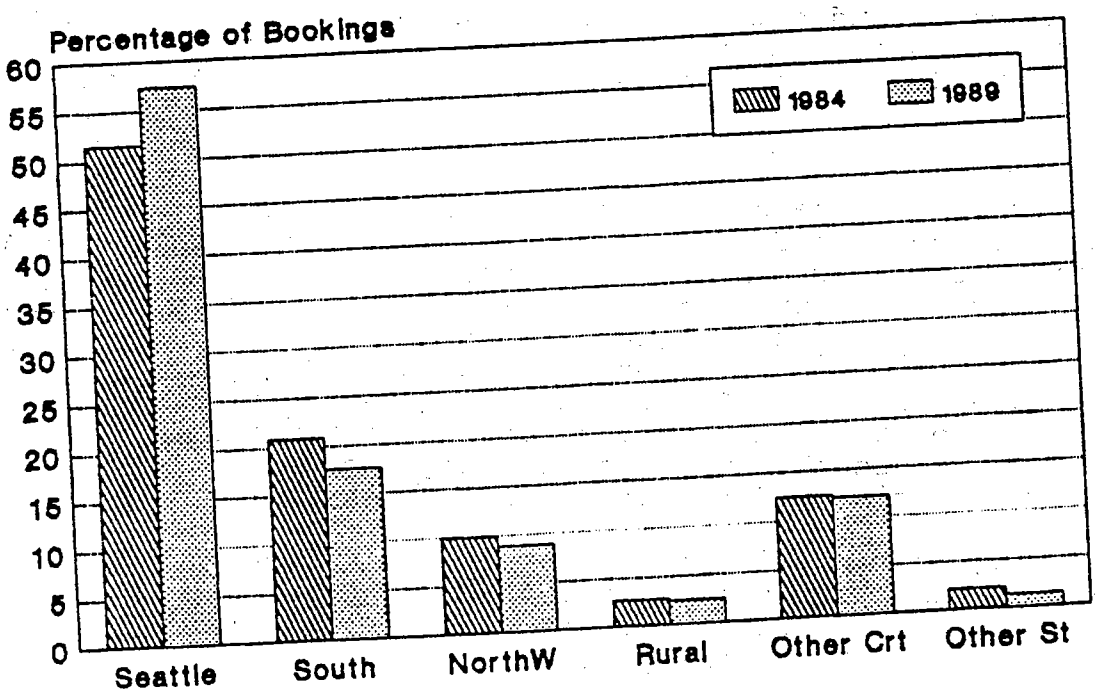
Seattle's drug bookings increased by 570 percent between 1984 and 1989. In comparison the second largest percentage increase for drugs was the "other" counties category which increased by 210 percent. The highest percentage increase among non-Seattle

regions within King County was 137 percent in the Northwest region.

Seattle is a trend setter in miscellaneous (social order) bookings, which at closer review include liquor violations, disorderly conduct, resisting arrest, gambling, and prostitution. Between 1984 and 1989, Seattle increased by 32 percent while all other regions went down. These bookings are social order crimes and along with drug offenses make a significant contribution to the jail forecast assumptions. Seattle also sets the trend in the use of criminal traffic bookings. This could be a change in charging patterns for DWIs or the fact that more repeat DWI offenders are being booked on driving without a license.

With Seattle's large percentage increase, it is mathematically difficult for any of the regions to show an increase between 1984 and 1989. In fact, the only region to maintain its 1984 level in 1989 is Federal Way which remained constant at about 4.5 percent of the bookings. Each of the other regions slipped a little in order to allow for Seattle's increase. The lack of increase in the non-Seattle regions does not mean that there were not significant changes in bookings by crime type.

REGIONAL PROFILE OF BOOKINGS
1984 and 1989



South includes the Regions of Renton, Seatac, and Federal Way.

In the non-Seattle regions the most significant change occurred in violent bookings. Using Seattle's increase of violent bookings between 1984 and 1989 of 142 percent as a baseline for comparison, it is interesting to note that three non-Seattle regions had greater increases. The Rural region had an increase of 160 percent for violent crime bookings between 1984 and 1989. Federal Way had a 194 percent increase in violent crime bookings, and largest of all, the Northwest region had an increase of 306 percent. (In 1984 the Northwest region was responsible for about 200 violent offender bookings per year, with 1989 increasing to about 625 violent offender bookings per year.)

Although Seattle overshadows the non-Seattle regions in bookings for drug offenses -- and it is probably more of a leading indicator rather than a permanent lead -- the other regions have also had significant increases in bookings for drug offenses. Between 1984 and 1989, the Northwest region's drug bookings increased 137 percent, the Seatac region increased 130 percent, the Rural region increased 100 percent, the Renton region increased 92 percent, and the Federal Way region increased 50 percent.

In addition to Seattle, there are a number of other regions that have contributed significantly to the increase in criminal traffic bookings. After Seattle's 238 percent increase, the Renton region shows a 209 percent increase, the Seatac region an 88 percent increase, the Northwest region a 72 percent increase, and the Federal Way region a 44 percent increase. The "other county" status has also contributed significantly to the increased criminal traffic bookings with an increase between 1984 and 1989 of 122 percent. "Other state's" increased 300 percent but that increase is based on very small numbers.

The most notable decrease in bookings was for DWIs. There was only a small increase in the number of DWI bookings in some of the regions with an actual decrease in numbers in three of the regions. Stable or decreasing numbers in a period of rapidly increasing numbers for other types of bookings translates into a percentage decrease for DWI bookings between 1984 and 1989 -- a negative 5 percent.

ECTION VII
ummary of Key Findings

Regional Population Patterns

- Nearly 2 million people will be living in King County by 2010.
- The majority of the growth is expected in non-Seattle regions.
- The "South" region (consisting of Renton, Seatac, and Federal Way regions) will be the fastest growing and largest region by 2000.

Demographic Age Patterns

- There is a trend for older males (30+) to be more involved in illegal behavior than ever before.
- The number of persons in the 30-40 year old range within the county's general population is increasing rapidly.
- The younger age groups are decreasing in size, but will grow again beginning in 1992.

Jail Population Forecast 1989-2010

- The population is forecasted to grow at a rapid rate similar to the last eighteen months until 1992.
- The rate will then slow until the population peaks at 2755 in 1994.
- From 1995-2010, the population will again increase steadily until it totals nearly 2900.

Forecasted Population Versus Existing Rated Capacity

- By 1991, the difference between the existing rated capacity and the forecasted population will be approximately 900 prisoners.
- By 1992 the difference will be over 1000 prisoners.
- By 2010 the difference will be approaching 1300 prisoners.

Current and Historical Crime Patterns

- Since 1983, both reported violent and property crime has increased significantly.
- Most of the increase in violent crime has occurred in Seattle, which has the highest crime rate of any region in the county.
- The "south" region's violent crime rate has increased steadily since 1983.
- Because the Northwest region is the single largest non-Seattle region in population, its reported violent crime is closest in volume to Seattle, despite having the lowest crime rate.
- There is a positive correlation between the type and incidence of reported crime and subsequent bookings.
- Violent and drug related offenses have driven the increases in presentenced and sentenced felony bookings.
- Auto theft is the fastest increasing felony property crime.
- The miscellaneous or "social order" category of misdemeanor offense bookings is increasing rapidly, particularly in Seattle.

Projected Crime Patterns

- Because of decentralization, there will be a 50/50 split for total reported crime between Seattle and the rest of King County by 2000.
- Projections show that the majority of property crime will be committed in non-Seattle regions by 1997.
- By 2010, Seattle will contribute 45 percent of the total reported property crime; 55 percent will be from other regions within King County.
- Future years will see a rapidly decreasing percentage of total reported violent crime occurring in Seattle.

Profiles of the Prisoner Population

- Violent, serious property and drug related offenders are increasing as a percentage of total prisoners booked.

- DWI bookings are decreasing as a percentage of total bookings.
- Women continue to make up roughly 15 percent of the total bookings and are most likely to be booked as presentenced misdemeanors.
- Blacks have experienced an increase in the percentage of bookings from about 24 percent to about 33 percent.
- The length of stay for sentenced felons has decreased from about 70 days to about 35 days.
- The length of stay for presentenced felons has increased from about 15 days to about 20 days.
- The length of stay for sentenced misdemeanors has increased from about eight days to about 13 days.
- The length of stay for presentenced misdemeanors has remained relatively stable at about four days.
- Felons will become a greater proportion of the jail population over time. The proportion of presentenced felons will increase from 35 percent in 1989 to 40 percent in 2010.*
- Sentenced felons will increase less than one percent in this time period.*
- The proportion of presentenced misdemeanors will fall slightly from 14 to 13 percent from 1989 to 2010.*
- During this period, sentenced misdemeanants will fall from 20 to 17 percent of the jail population.*

* See Table: King County Jail Population Forecast by Jail Status by Quarter.

APPENDIX 18

KING COUNTY CORRECTIONAL FACILITY POPULATION MANAGEMENT PLAN

Presented to the
KING COUNTY EXECUTIVE

by the
KING COUNTY DEPARTMENT OF ADULT DETENTION
MARCH 15, 1988

EXECUTIVE SUMMARY

Introduction

The King County Correctional Facility is currently experiencing an crowding problem. This problem is neither new nor unique. Many correctional facilities locally and nationwide are operating with prisoner populations exceeding capacity. Most jurisdictions, including King County, have made intensive efforts to identify the causes of jail population growth and have shared and introduced dozens of strategies designed to negate or minimize the forces contributing to ever increasing prisoner populations.

Approximately one year ago the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels, which if unabated, would tax the capacity of the jail facilities to meet its mandate to provide a safe, secure environment for staff and inmates. Formation of a high-level committee of criminal justice professionals resulted in a series of recommendations designed to ameliorate the rate of growth long enough to allow decision-makers adequate time to formulate a more permanent solution to the jail crowding problem. In addition to reduction strategies, better use of capacity has also been addressed. In spite of these efforts, population levels have reached new peaks and threaten to reach truly critical levels. Action is required.

Background and Problem Statement

King County's new jail facilities, which opened in early 1986, were originally planned to accommodate projected King County jail population until the year 2000. The state set capacities for new jail construction, which in King County was 1225, and tied maximum levels of funding to those capacities.

Prior to and following the opening of the new facility, the jail population has experienced continuous and rapid growth. Average daily population (ADP) has increased from 726 in 1977, when new jail planning first began, to 1195 in 1985. The steady increase continued in 1986 and 1987, with ADPs of 1368 and 1481, respectively.

For 1988, the Department projected an overall ADP of 1566. The Department anticipated population would be lowest in the second quarter and highest during the fourth quarter. As of March 3, the year-to-date Average Daily Population (ADP) reached 1592 with historical high peak periods still to come, indicating that first quarter actual population will almost certainly exceed projected levels.

The 1988 capacity plan, prepared in June 1987, anticipated the need for housing inmates on mattresses on the floor and that peak days would occur when the number so housed might be fairly high. Forecasts for first quarter anticipated having to occasionally house as many as 176 inmates on the floor on the few peak days of the quarter. Actual counts of inmates housed on the floor during the second week of February ranged from 200-293 inmates per day.

The Department has serious concerns that rather than experiencing peak population days in the mid-1600's, as projected for the first quarter, the

jail may be in the initial stages of experiencing this level of population on a sustained basis. It now appears that peak days will extend the population even higher, prior to any relief that would be expected to derive from facility reconfiguration, electronic home monitoring, or other feasible reduction measures. Populations at these levels seriously tax the resourcs of the Department.

Purpose

The purpose of this paper is to:

- Recap the measures that have been taken since 1980 to manage population growth;
- Recommend some interim population reduction and/or capacity expansion options;
- Provide a series of recommendations focused on how to accommodate excess jail population on an interim basis until a long-term solution is decided; and
- Define an emergency reduction plan should population levels reach critical proportions as defined in this report.

Factors or principles considered in the development of this plan include:

- The Department of Adult Detention considers this plan to be an interim or temporary strategy for responding to the current crowding situation;
- The interim solution proposed contributes to and is consistent with the development of a rational, long-term solution to the crowding problem; and
- Adequate and timely response is necessary to ensure that King County retains local control over the operations of its criminal justice system in lieu of intervention by the federal courts. Implementation of a new consent decree would effectively wrest away that control.

Historical Efforts to Manage Population

Significant emphasis has been placed on maximizing population reduction strategies since the early part of the decade. These efforts have included:

- The 1981 Holmquist Committee
- The 1987 Executive Jail Committee
- Department of Adult Detention Reduction Programs

Over 50 recommendations for managing the jail population, developed by two different jail committees, have been implemented since 1981, in addition to a number of program implemented by the Department designed to either effect reductions or increase capacity. Criminal justice officials have consistently concurred that no easily identified strategy for substantial

reduction exists and that only small incremental benefits can be or have been achieved by each of the dozens of recommendations.

Given this, the 1987 Executive Jail Committee in its final report concluded:

> "We have no illusions that if all or even most of these recommendations were implemented there would be no jail population problem. In fact. . .even if the bulk of our recommendations are adopted, essential public safety concerns will still require development of additional jail space in the county."

Interim Population Reduction Strategies

In view of the serious crowding with which the facility is faced, interim reduction measures that can be implemented at the Departmental level, and most importantly, implemented immediately, should be fully utilized prior to implementation of more onerous emergency level measures.

Recommendations included in the report are:

- Eliminate federal prisoners
- Limit returned state prisoner jail time
- Encourage restricting of bookings on warrants under $500
- Posting of bail in lieu of booking
- Increase Department of Corrections' transports
- Expand the supervised release program
- Accelerate inmate classification
- Expand pretrial screening
- Relocate medical psychiatric staff
- Require the direct commitment of DWIs to NRF
- Establish Saturday District Court calendar
- Establish Sunday Municipal Court calendar
- Expand personal recognizance release criteria
- Expand scheduled work service programs
- Increase operational capacity at NRF

Jail Capacity

The crowding problem is not systemwide. Rather, it is confined to the male and female populations housed in the Tower and the West Wing. Correctional facilities are assigned rated capacities based upon applicable standards and law. Standards are premised upon criteria related to accepted health and safety concerns, and generally specify custodial factors including minimum square footage per inmate, sanitary requirements, shower and toilet to inmate ratios, related program requirements including visitation, recreation, meal frequency, etc. Rated capacity for King County Correction Facility is 1463 broken out as follows: Tower 872, West Wing 375, and NRF 216.

With proper allocation of resources, additional capacity above that specified in rated capacity levels can be absorbed on an interim basis. Administrative adjustments, including the addition of 30 contract beds for work release, the addition of two bunks to the Tower, reallocation of

five cells for medical office space, and the addition of eight bunks to the West Wing, result in an actual current capacity of 1498 beds, a number in excess of formal rated capacity. For purposes of this report, the term "operational capacity," refers to a population level in excess of rated capacity that can be safely and humanely housed in a facility on an interim basis either with or without the addition of new resources--that is a population level above rated capacity that can be managed safely and securely and for which support services (e.g. meal service, medical care, visiting, recreation, etc.) can be maintained. It is based less on rigid calculations of minimum square feet per prisoner and more on professional judgments regarding the "totality of the conditions of confinement" and "quality of life" issues.

In contrast, the term "emergency capacity" refers to the population level above which the facility can no longer operate in a safe or humane manner. It depends on two constraints: (1) the overall physical constraints of the facility to provide security and support services, and (2) the physical size of confined living areas affecting the movement of inmates and their ability to experience normal living activities. At some point, the physical constraints of the facility are such that the ability of inmates to circulate at all in living areas is virtually eliminated due to crowding and the lining up of mattresses on the floor. Physical constraints affect the staff's ability to provide adequate standards of supervision, classification, medical care, food service, recreational opportunities, visiting, and other quality of life issues. At this point, when the totality of the circumstances of confinement is no longer humane, safe, and secure, emergency capacity has been reached and emergency measures must be taken to reduce population levels.

Classification is the backbone of the management of the facility. Within the 24-hour residential areas of the Tower and West Wing there are designated areas for each security level and for special housing. This places a constraint on the use of all available capacity. Because of the importance of classification to the management of the inmate population, the separation of classification groups is maintained even under crowded conditions. This results in less than complete utilization of all available bedspace. Classification concerns are incorporated into the report's recommendations for interim management of jail crowding.

Crowding Management Plan

The crowding management plan outlines a rational sequence of steps designed to address how population in excess of available bed capacity can be accommodated. In attempting to identify the best means of addressing jail crowding within existing space limitations, both operational and physical constraints were considered, as well as existing standards. The overall goal of the recommendations is to provide reasonable access to facilities and services given the degree of current and anticipated crowding.

In the context of this report, it is assumed that (1) continuing a status quo policy of confining crowding to the south dormitories regardless of poulations levels, or (2) imposing a population lid coincident with rated capacity are not acceptable solutions. Given these, options considered for managing crowding were divided into two groups: (1) more intensive use of

space within existing facilities in order to house more inmates, and (2) expansion of capacity by adding new interim bedspace.

1. More intensive use of existing space

   - Convert the West Wing for minimum security use
   - Add bed capacity to the West Wing
   - Add bed capacity to NRF
   - Double-cell a portion of the Tower

2. Interim expansion of capacity

   - Reopen the twelfth floor (Unit I) of the Courthouse for work release
   - Expand capacity at NRF
   - Increase contract work release beds
   - Contract for additional secure bedspace

Emergency Reduction Plan

The crowding management plan and the interim population reduction proposals presented earlier may alleviate crowding in King County Correctional Facilities until long-term plans for accommodating expected jail population are developed and implemented. However, in the event that periodic peak populations or overall increases in population occur which jeopardize the safe and secure management of the inmate population, an emergency plan for reducing population and restoring safe and secure conditions is necessary.

There is a precedent for the development of an emergency reduction plan in King County. Twice, since 1980, emergency reduction plans were developed to address the possibility of potentially imminent population crises. The Executive Commission Report on the King County Jail issued in December 1980 (the first "Holmquist Report"), contained both recommendations for population reduction strategies and a "Population Lid Procedure." Again, in 1983, an Emergency Crowding Plan was completed and approved by the County Executive, the Department of Adult Detention Director, and the Prosecuting Attorney. There were some differences in approach and level of specificity between the two plans, but both called for the imposition and maintenance of a population lid beyond which jail population would not be permitted to increase.

The report submits a three-step emergency reduction plan (Advance Warning Level, Level I, Level II):

- First, an advance warning population level is identified to alert local officials and the criminal justice system that emergency levels will soon be reached.

- Following the advance warning step, should population continue to increase, comes the Level I threshold. At Level I, an emergency population level is identified and a series of reduction measures to be taken at this point are specified. Level I measures are those which the County Executive can direct be implemented without extensive involvement by all segments of the criminal justice system. They include:

- Review and ensure full implementation of all interim population strategies

- Eliminate parole holds without local charges

- Schedule all out-of-custody commitments

- Commit and schedule all DWI sentences to NRF

- Seek a moratorium on issuance of failure-to-appear and failure-to-pay warrants for nonviolent traffic offenders except DWIs

o Level II threshold measures are invoked when population threatens to exceed the recommended capacity lid. Level II measures are more drastic, have more impact on the criminal justice system, and are intended to maintain population below the population lid. The Level II measures call for a panel of selected representatives of the criminal justice system to assist the County Executive in identifying the emergency measures to be implemented and the order of implementation. Recommendations include:

- Implement emergency personal recognizance release standards

- Implement emergency supervised release standards

- Seek emergency sentence reductions

- Restrict new bookings

Specific population levels for men and women are identified for each step of the emergency reduction plan. It is important to note that calculation of these numbers is based upon assumptions that: (1) the work release program has been relocated out of the West Wing; (2) the West Wing has been remodelled for minimum security use; and (3) capacity in the Tower and the West Wing has been increased over rated capacity. They are based on the recommended crowding management plan and refer to the 24-hour residential population of men and women. Counts in other facilities such as intake, work release, and NRF do not affect crowding in the Tower and West Wing.

The population levels for each step of the plan are:

	Men	Women	Total
Advance Warning Level	1286	162	1868
Level I Threshold	1326	175	1921
Level II Threshold	1367	189	1976
Lid	1405	203	2028

These compare with 24-hour residential counts as high as 1157 for men and 154 for women in February of this year, levels at which the Department is now beginning to experience difficulties in providing adequate supervision and/or services.

It is not inevitable that emergency population levels will be reached. Additions of capacity, moderation in the jail population's rate of growth,

or actual reductions in population will delay or eliminate the need to invoke an emergency reduction plan. However, such a plan will provide a basis for decisive and timely action should emergency levels be reached.

The Department submits this plan with the expectation that public officials and the community alike will concur with the staff, officers, and management's contention that the current level of crowding (assuming it is not a short-term peak) is unacceptable and is inconsistent with the Department's mission statement and the County's obligation to operate a safe, secure and humane correctional facility. Fundamental goals of the plan are:

- To maintain local officials' control of the criminal justice system and not forfeit the community's right to govern this diverse system in a manner that is consistent with the dictates of sound public safety policy and correctional administration; and

- To develop a plan that contributes to and is consistent with the development of a rational long-term solution to local jail crowding.

The Department anticipates that upon the completion of a full review of the proposals contained in the report, a direction will be set and budgetary resources allocated for managing interim jail population growth until long-term solutions are implemented.

INTRODUCTION

INTRODUCTION

The King County Correctional Facility is currently experiencing an crowding problem. This problem is neither new nor unique. Many correctional facilities locally and nationwide are operating with prisoner populations exceeding capacity. Most jurisdictions, including King County, have made intensive efforts to identify the causes of jail population growth and have shared and introduced dozens of strategies designed to negate or minimize the forces contributing to ever increasing prisoner populations.

Approximately one year ago the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels, which if unabated, would tax the capacity of the jail facilities to meet its mandate to provide a safe, secure environment for staff and inmates. In response, a high-level committee of criminal justice professionals was formed to make recommendations designed to ameliorate the rate of growth long enough to allow decision-makers adequate time to formulate a more permanent solution to the jail crowding problem. In the intervening year, a number of recommendations have been implemented. There is no doubt that the rate of growth was moderated, yet growth nonetheless continues to occur.

In addition to reduction strategies, better use of capacity has also been addressed. Remodeling projects involving the West Wing for use as minimum security housing, and the psychiatric wing to regain cell space reallocated for medical office needs, have been proposed. Although these projects will not actually increase capacity, they will effectively assist in mitigating crowding in the Tower by reallocating beds for Tower population that were previously taken up by work release inmates and staff offices.

In spite of these efforts, population levels have reached new peaks and threaten to reach truly critical levels. Action is required. The majority of strategies that have been suggested to deal with jail crowding have focused on the low-risk offenders, often misdemeanants. This group has basically been exhausted as a target group for reduction efforts. It now appears that unless some very substantial reductions can be achieved by developing efficiencies within the criminal justice system, or targeting more serious offenders, that only two options remain regarding a long-term solution: (1) a population lid can be established that will limit jail population to correspond to available current bed capacity; or (2) additional long-term capacity can be provided. The issue facing King County and the Department is that in the intervening two to three years until a new facility can actually be brought on line, or until policy changes reduce the ADP, an operations plan must be developed to cope with the burgeoning population and an interim population lid identified in the event population reaches emergency levels.

Purpose

The purpose of this paper is to:

- Recap the measures that have been taken since 1980 to manage population growth;
- Recommend some interim population reduction and/or capacity expansion options;

- Provide a series of recommendations focused on how to accommodate excess jail population on an interim basis until a long-term solution is decided; and

- Define an emergency reduction plan should population levels reach critical proportions as defined in this report.

Factors or principles considered in the development of this plan include:

- The Department of Adult Detention considers this plan to be an interim or temporary strategy for responding to the current crowding situation;

- The interim solution proposed contributes to and is consistent with the development of a rational, long-term solution to the crowding problem; and

- Adequate and timely response is necessary to ensure that King County retains local control over the operations of its criminal justice system in lieu of intervention by the federal courts. Implementation of a new consent decree would effectively wrest away that control.

This report does not include a population projection. Instead, it presents options that are available or recommended in the event jail population continues to increase and reaches sustained ADPs at critical levels. In short, the question addressed is what should be done if the population reaches these levels, not a projection of when it will. The Department of Adult Detention is, however, developing a long-range population projection, with the assistance and input of the Jail Committee Work Group.

Organization

This report is divided into chapters as follows:

I. Background and Problem Statement

II. King County's Efforts to Manage the Correctional Facility's Population 1980-1988: This chapter reviews the efforts of King County to manage the jail's population since 1980. A review of 50 population reduction measures that have been implemented is outlined, with brief comments associated with these measures' relative success in reducing the population's rate of growth.

III. Interim Population Reduction Strategies: Chapter III lists options for stabilizing or reducing the ADP prior to the implementation of more drastic emergency-level measures. These options are sorted into four categories based on variable levels of costs and timelines for implementation. When possible, estimated ADP impacts and actions required are noted, as well as possible political ramifications. In addition, brief explanations for reduction strategies that were considered but rejected are included.

IV. Jail Capacity: This chapter provides a discussion of capacity levels including: rated, operational, and emergency capacities, as referenced in this report. It also describes current facility

configurations and population distribution. Discussion centers on the expansion of capacity in the new correctional facility since its opening in January 1986 and notes that current bed counts already reflect the addition of 145 beds over the design capacity.

V. Crowding Management Plan: Chapter V outlines the factors and criteria utilized for assessing each alternative's feasibility and potential for effectiveness, and outlines a rational sequential plan for managing excess population. The plan calls for adding capacity over the short term as well as some reallocation of existing capacity. However, the focus of the plan is to respond to projected crowding with housing resources currently available.

VI. Emergency Reduction Plan: Chapter VI delineates a proposed two-tiered emergency population reduction plan which is viewed as a last resort strategy. The two-level emergency reduction plan permits the County to first implement measures which have less impact on the criminal justice system and public safety than final emergency measures. Should these measures fail to stabilize growth, only then would the Level II plan, which includes restrictions on bookings and/or provisions for early release, be implemented. The emergency reduction plan identifies separate population lids for men and women, beyond which jail population within existing facilities would not be permitted to increase.

VII. Conclusion: The concluding comments reiterate the central themes of the paper, including the goal of maintaining control over the local criminal justice system in lieu of federal intervention, developing a plan that is consistent with the development of a long-term solution to jail crowding, and the need for budgetary resources to manage the current and anticipated prisoner populations until long-term solutions are implemented.

BACKGROUND AND PROBLEM STATEMENT

King County's new jail facilities which opened in early 1986, were originally planned to accommodate projected King County jail population until the year 2000. The state set capacities for new jail construction, which in King County was 1225, and tied maximum levels of funding to those capacities. In setting capacities, the state assumed that during the intervening period, demographic changes (including a reduction in the 25-40 year old age group as the "baby boom" population moved through the prime incarceration age continuum) would result in a declining at-risk population. Because of this, only moderate population growth was anticipated.

The new jail facilities provided 1084 of the projected 1225 needed beds. With 216 beds at the North Rehabilitation Facility (NRF) and 30 contracted work release beds, the total capacity of King County's combined correctional facilities exceeded the projected year 2000 need by 105 beds on the day the new jail facilities were occupied.

Prior to and following the opening of the new facility, the jail population has experienced continuous and rapid growth. Average daily population (ADP) has increased from 726 in 1977, when new jail planning first began, to 1195 in 1985. The steady increase continued in 1986 and 1987, with ADPs of 1368 and 1481, respectively. Budgeted population levels were greatly exceeded in both 1986 and 1987.

Table 1 shows King County jail population and incarceration rates from 1975 to present. The incarceration rate, which is the ratio of jail population to County population, has steadily risen. Thus, increases in overall coun' population have not driven the rapid growth in the jail population, but rather policy factors which affect incarceration rates have. Changes in crime patterns, sentencing practices, arrest rates, and state legislation mandating incarceration for DWI and domestic violence offenders, and felony sentencing reform have been viewed as contributors to this trend.

Twice since 1980, the King County Executive has convened high-level committees of criminal justice professionals to address the jail population problem. These committees explored options for increasing overall efficiency of the criminal justice system and formulated a series of recommendations designed to mitigate or control the rate of population growth, in order to allow decision-makers adequate planning time to implement longer term capacity solutions. A large number of these recommendations have been implemented and the rate of growth in the jail's population has been reduced as a result.

1988 Jail Population Projection

The Department of Adult Detention's 1988 population projection of 1566 ADP, upon which the Department's 1988 budget is premised, was developed with the trend of the last several years in mind. The projection was conservative, in that it was assumed that growth would be more moderate than that experienced in 1987. The ADP of 1481 in 1987 represented an increase of 113 inmates over 1986, an 8.2% growth in one year. Bookings increased extraordinarily for two years in a row by almost 4800 in 1986 and 3800 in 1987. The Department was mindful of these trends when setting the 1988

TABLE 1

King County Population, Jail ADP, and Incarceration Rates

	King County Population	ADP*	Actual IR/10,000	Growth in IR
1975	1,155,300	534	4.6222	
1976	1,155,900	595	5.1475	.5253
1977	1,167,500	664	5.6874	.5399
1978	1,191,100	707	5.9357	.2483
1979	1,228,300	786	6.3991	.4634
1980	1,269,749	897	7.0644	.6653
1981	1,309,800	966	7.3752	.3108
1982	1,311,400	1,047	7.9838	.6086
1983	1,315,800	1,070	8.1319	.1480
1984	1,326,600	1,075	8.1034	(.0285)
1985	1,346,400	1,191	8.8458	.7424
1986	1,357,130	1,364	10.0506	1.2048
1987	1,376,010	1,481	10.7630	.7124
Projected				
1988	1,391,593	1,564	11.2391	.4761
1989	1,406,840			
1990	1,423,605			

*The ADP figures on this table exclude federal prisoners, which are projected to be 2 ADP in 1988.

projection. The 1988 estimate of 1566 built in expected growth but at less than the 1987 level. The assumption was made that the work of the Jail Committee would, at minimum, depress the level of population growth, although it was not known at the time the projection was made which of the committee recommendations would be funded, or implemented, or precisely what the effect would be. The decision to estimate conservatively was also supported by some initial evidence that some of the exogenous factors related to population growth (e.g., crime rates, arrest rates, filing rates, etc.) might have been stabilizing or showing more moderate increases over the short run as well.

The Department set an overall population estimate of 1566 for the year with a quarterly breakdown in accordance with historical patterns:

1988 Jail Population Projections
Year 1566 ADP

First Quarter	1560 ADP
Second Quarter	1535 ADP
Third Quarter	1557 ADP
Fourth Quarter	1613 ADP

The Department anticipated population would be the lowest in the second quarter and highest during the fourth quarter.

Inherent in the concept of average daily population is the understanding that actual daily population levels will exceed the average 50% of the time. For this reason, peak population numbers were calculated. During the highest population period, fourth quarter, peak Tower and West Wing 24-hour residential populations were expected to reach 1326. This translates to an overall systemwide peak of 1723. However, the expected peak populations at these very high levels were expected to occur only occasionally, with their occurrence most likely during the fourth quarter of the year.

Current Problem

As noted earlier, the Department anticipated a first quarter ADP of 1560. As of March 3, the year-to-date ADP has already reached 1592 with March still to come. The ADP for February was 1643, with peak days of 1720, 1710, 1699, and 1695. Table 2 gives a component breakdown of February's population for the month as a whole and on the highest peak days. March is typically a high population period, indicating that first quarter actual population will almost certainly exceed projected levels.

The 1988 capacity plan, prepared in June 1987, anticipated the need for housing inmates on mattresses on the floor and that on peak days the number so housed might be fairly high. Forecasts for first quarter anticipated having to occasionally house as many as 176 inmates on the floor on the few peak days of the quarter. Actual counts of inmates housed on the floor during the second week of February ranged from 200-293 inmates per day. Given this experience so early in the year, the Department has serious concerns that rather than experiencing peak population days in the mid-1600's, as projected for the first quarter, the jail may be in the initial stages of experiencing this level of population on a sustained

TABLE 2

ADP and Peak Population Counts for February 1988

	24-Hour Residential Male	24-Hour Residential Female	Intake/ Transfer/ Release	NRF	Work Release	Total System Count
ADP for Month:	1107	137	37	188	174	1643
Highest Total Count Days:						
2/17	1157	140	57	199	167	1720
2/18	1153	148	36	200	173	1710
2/24	1128	145	57	196	173	1699
2/19	1146	149	28	199	173	1695
2/25	1114	154	69	182	173	1692
2/16	1152	137	34	180	172	1675
2/22	1143	146	16	195	173	1673
2/23	1130	150	24	193	176	1673
2/29	1151	149	11	184	177	1672

basis. It now appears that peak days will extend the population even higher, and prior to any relief that would be expected to derive from facility reconfiguration, electronic home monitoring, or other feasible reduction measures.

The overall high population levels, along with the high number of prisoners (both men and women) routinely housed on mattresses on the floor, has taxed the ability of the staff to manage the seriously crowded conditions which have developed. If population continues to grow, in general or in response to expected monthly and quarterly fluctuations, crowding will become more severe and conditions will worsen. The following chapters of this report provide additional background on measures taken to control population growth and review options for ensuring that humane and secure management of the jail facilities can be maintained until long-term solutions can be implemented.

CHAPTER II

KING COUNTY'S EFFORTS TO MANAGE THE CORRECTIONAL FACILITY'S POPULATION 1980-1988

KING COUNTY'S EFFORTS TO MANAGE THE CORRECTIONAL FACILITY'S POPULATION 1980-1988

Purpose

Significant emphasis has been placed on maximizing population reduction strategies since the early part of the decade. These efforts have included the convening of formal criminal justice system committees as well as development and implementation by the Department of Adult Detention of a number of programs designed to contain population levels. The purpose of this section is to review population reduction efforts that have occurred since 1980. For purposes of this report, these efforts are divided into three main headings:

- The 1981 Holmquist Committee
- The 1987 Executive Jail Committee
- Department of Adult Detention Reduction Programs

1981 Holmquist Committee

In December 1980, following annual increases in the jail's population, a special panel was convened to refine, adopt and augment the suggestions for jail population reductions contained in a report submitted by the Executive Committee on the King County Jail. The panel, chaired by Richard Holmquist, Chief Civil Deputy Prosecuting Attorney, proposed 23 population reduction measures designed to affect population levels by reducing bookings and shortening length of stay. The 1981 Holmquist panel recognized that no easily identified strategy for substantial population reduction existed. They noted that only small incremental benefits could be achieved by implementing each recommendation. It is of interest to note that following the commission's and panel's efforts, the 1981 jail population grew by only 4.78%. This represented a significant reduction in the rate of jail population growth from the 1980 (previous year's) increase of +10.42%.

Three separate status reports have been completed updating the "current" status of the 1981 Holmquist report recommendations. The updates were completed on 12/18/81, 5/11/83 and 2/9/87. The 1983 update concluded that "with the exception of strategies related to consolidated prebooking and booking, and expanded pretrial release opportunities for Seattle Municipal Court defendants, the report recommendations have largely been implemented."

The 1987 update concurred with the 1983 update and noted that the remaining recommendations not yet implemented had "either been explicitly rejected by the relevant authority or have presented unique coordination problems among the different jurisdictions." However, it was suggested that further analysis might be appropriate for several of the rejected measures.

1981 Holmquist Panel: Implemented Recommendations

The following recommendations were introduced by the 1981 Holmquist panel and were offered as alternative measures designed to affect population levels by reducing bookings and shortening length of stay. Exact dates of

the implementation of the recommendations are not available. The date of the status report that acknowledges implementation of each recommendation follows a brief listing of the implemented recommendations.

1. That the Department of Motor Vehicles include a notice of penalities for failing to pay fines with each notice of license renewal. (2/9/87)

2. That law enforcement agencies re-examine booking screening procedures to improve efficiencies and minimize both the time spent in bookings and the actual number of bookings. (12/18/81)

3. Provide enough PR staff to screen a greater percentage of bookings for possible release. (12/18/81)

4. Expand supervised release capacity of King County Pretrial Services Unit. (12/18/81)

5. Broaden criteria for recommendations for judicial review used by Seattle Municipal Court Probation Services. (2/9/87)

6. Provide Seattle municipal probation staff authority to expand administrative recognizance release. (2/9/87)

7. Provide PR and prosecutorial staff with access to a judge to authorize release of prisoners not within existing criteria. (5/11/83)

8. Request FBI rap sheets and criminal histories immediately upon arrest and fingerprinting. (12/18/81)

9. That the Department of Corrections probation and parole staff utilize a shortened felony presentence form. (12/18/81)

10. That the Superior Court judges schedule in-custody sentence dates within four weeks of trial. (12/18/81)

11. Provide felons an opportunity to waive the 30-day appeal period. (12/18/81)

12. That the prosecutor provide each criminal deputy the forms for noting the 30-day waiver. (12/18/81)

13. That the Department of Adult Detention provide a report to the bench and to the prosecutor of the number and length of sentences being served in the jail. (5/11/83)

14. That the bench and prosecutor review the applicability of good-time provisions. (12/18/81)

15. That the Superior Court schedule probation revocation hearings within three weeks of the request. (12/18/81)

16. That the Department of Adult Detention notify other jurisdictions of the booking of "non-county" prisoners. (12/18/81)

17. That pretrial services (Department of Adult Detention) examine or establish remote pretrial screening for outlying police agencies. (5/11/83)

18. That all relevant agencies explore or develop a mechanism for more efficiently processing "in-and-out" bookings. (2/9/87)

19. That the Seattle Municipal Court fund one weekend arraignment session. (5/11/83)

20. That a structured community service program be explored and developed. (2/9/87)

1981 Holmquist Recommendations Summary

The strategies proposed in the July 1981 Holmquist report and follow-up Department of Adult Detention recommendations have largely been implemented with the exception of strategies related to consolidated prebooking and booking operations. As noted above, the rate of growth of the jail population was only 4.78% following the panel's efforts. The 1981 recommendations were reviewed by the 1987 Holmquist Committee and in only a few cases had problems previously addressed resurfaced. Accordingly, these problem areas were again the focus of specific recommendations for better managing the jail population.

1987 King County Jail Committee

In January 1987, recognizing the continuing trend of increasing jail population and the imminent operational problems associated with crowding, Executive Tim Hill appointed a 17-member King County Jail Committee, chaired again by Richard Holmquist. After reviewing the first panel's suggestions, this second "Holmquist Committee" offered 49 separate recommendations for managing the jail population and concluded "we have no illusions that if all or even most of these recommendations were implemented there would be no jail population problem. In fact. . .even if the bulk of our recommendations are adopted, essential public safety concerns will still require development of additional jail space in the county."

In addition, the committee noted ". . .there should be some modest reduction in short-term population pressures on the jail sufficient to permit other longer range solutions to be pursued." To this end, the efforts of the 1987 jail committee appear to have been successful, in that the growth rate of 1987 of 8.26% represented a moderation of the growth of the prior year of 14.57%. This reduction in the growth rate relative to previous years may be explained, in part, by the fact that, as with the first jail committee, many of the 1987 committee's recommendations have been implemented or initiated.

The 1987 King County Jail Committee: Implemented Recommendations

The following recommendations were submitted by the 1987 "Holmquist Committee" to the Executive and were implemented for the purposes of efficiently managing the present and projected jail prisoner populations. Following is a brief listing of all implemented recommendations as of 2/18/88. The specific recommendation number is also noted.

1. That law enforcement agencies conduct training or develop standards to guide officer discretion in deciding whether to book or cite and release. (#1)

2. That all appropriate elements of the criminal justice system implement a credit card bail system for the payment of fines and posting of bail. (#3)

3. That the County study the potential for operating pretrial release before booking rather than after booking (Council audit to be completed by April). (#4)

4. That the Arrestee Information Sheet be made available to pretrial staff as soon as possible. (#5)

5. That the staff level at the jail reception area be increased by two full-time equivalent positions. (#6)

6. That the Superior Court develop carbonized order forms to expedite certification and processing of pretrial release orders. (#7)

7. That King County District Courts authorize the Department of Adult Detention to accept partial payment and to release upon assurance of payment all prisoners booked on bench warrants with bail of less than $250 issued for fine/restitution owing (cash only). (#11)

8. That the King County District Courts appoint a Commissioner to hold a calendar for screening/release decisions for those prisoners held on outlying District Court warrants (other than "no bail" warrants). (#12)

9. That all other prisoners held on King County District Court warrants be transported to outlying District Courts for screening/release decisions by the next judicial day following booking. (#13)

10. That the District Courts pursue the development of a computer system that would allow mutual access to court records to facilitate early release possibilities. (#15)

11. That the Executive forward to the State Supreme Court a recommendation supporting adoption of proposed CrRLJ 5.2 (4) and urging that the court make the rule effective June 1, 1987 by invoking the emergency clause. (#20)

12. That other criminal justice agencies represented on the Jail Committee take similar action in support of proposed CrRLJ 5.2 (4). (#21)

13. That appropriate agencies explore the need for additional deputy prosecutors, public defenders and judges in order to alleviate conflicts on the trial calendar. (#22)

14. That the Prosecuting Attorney add staff to process presentence material to assure that the sentencing report will be ready within four weeks the date of the conviction/plea. (#26)

15. That the State Department of Corrections streamline reports so that sentencing reports will be available within four weeks of the conviction/plea. (#27)

16. That the Prosecuting Attorney, State Department of Corrections, and Superior Court seek to identify in-custody felons whose sentencing can be expedited. (#29)

17. That the Prosecuting Attorney's Office continue its newly inaugurated policy of resisting any motion or request to continue the sentencing hearing of an in-custody felon more than two weeks beyond the original sentencing date. (#30)

18. That appropriate agencies explore expansion and increased utilization of community service programs by courts for convicted misdemeanants and felons. (#31)

19. That the appropriate agencies explore funding for additional probation officers to expedite preparation of presentence reports and facilitate greater utilization of supervised probation. (#32)

20. The Superior Court Judges offer each felon, at the time of sentencing, the opportunity to waive the 30-day jail time now set aside for preparation of an appeal. (#36)

21. That the Department of Corrections develop a form for prisoners placed on community supervision that advises them where to report, when to report and to whom to report. (#37)

22. That Department of Corrections have a person available at the courthouse to facilitate compliance with community supervision sentences under the SRA. (#38)

23. That the Superior Court implement a weekly SRA Sentence Modification Calendar to hear motions to modify SRA sentences for noncompliance for in-custody defendants within one week of booking. (#39)

24. That Department of Corrections give high priority to ongoing exploration and implementation of state actions that will improve the management of jail population. (#41)

25. That the County give high priority to immediate expansion of jail beds within existing facilities to help relieve crowding. (#42)

26. That the County pursue relocation of the work release program to areas that do not have the intensive use pressures of the jail/courthouse complex. (#43)

27. That the County increase courtroom facilities within the secure confines of the jail/courthouse complex. (#44)

28. That the Department of Adult Detention explore electronic monitoring programs such as home detention. (#45)

29. That all planning by local governments related to desirable programs to enhance the quality of life and meet the needs of the people take account of the requirement for provision or additional jail space. (#46)

30. That the County conduct a long-term population projection. (#47)

31. That the Executive explore the establishment of a standing committee of criminal justice agencies to monitor, discuss and plan for trends in the operation of this diverse system. (#49)

Department of Adult Detention Population Management Initiatives

In addition to recommendations formulated by the original Holmquist Committee, the Department has independently and aggressively pursued a number of successful population reduction initiatives and capacity expansion programs over the years. The net result has been the expansion of systemwide capacity and moderation in the growth rate of the jail population.

Population Reduction Initiatives

The Department of Adult Detention has initiated and/or developed the following programs and measures:

1. Initiation of PR screening for County misdemeanants, including the expansion of release authority since 1978.

2. Coordination of PR release decisions with Seattle Municipal Court to expedite the release of inmates with cross-jurisdictional charges.

3. Initiation of PR screening for felons, including (with court approval) the administrative release of designated low-risk felons.

4. Initiation of the supervised release program in 1980, including gradually expanded caseloads over the years; current caseloads are approximately 110-150 per day.

5. Initiation of an in-house work service program for County misdemeanants in lieu of jail sentence time.

6. Development of the post-booking mentally ill diversion program in conjunction with the Seattle/King County Department of Public Health.

7. Felony probation warrant monitoring for early scheduling of hearings and possible pre-hearing release.

8. Parole-hold monitoring to expedite scheduling of hearings and possible pre-hearing release.

9. Transfer of parole holds without local charges pending to a state facility while waiting a hearing.

10. Development of domestic violence screening and release procedures as part of the PR screening and release program.

11. Development and expansion of the work release program.

12. Development of an electronic home detention program to be implemented in May of this year.

Capacity Expansion and Modification Initiatives

The Department of Adult Detention has pursued the following modifications to capacity to help reduce crowding and to increase systemwide capacity:

1. Initiation and expansion of the NRF program for low-risk offenders, with a current bed capacity of 200 for long-term residents.

2. Development of the "direct-report" program at NRF for offenders serving one- and two-day DWI sentences.

3. Increase of capacity for the work release program through the contracting of beds, including contract beds for women.

4. Development of the West Wing capital project for 1988, designed to reduce crowding in the Tower by converting work release space in the West Wing to minimum security residential use.

Conclusion

King County has worked aggressively over the last eight years to develop, through a combination of Department programs and Executive Committees, strategies for more efficiently managing or reducing the jail's population. Over 50 separate recommendations and programs which bridge the entire gamut of local criminal justice agencies' responsibilities and discretion associated with the jail crowding problem, have been implemented since 1981. Criminal justice officials involved in formulating these recommendations have consistently and steadfastly concurred that no easily identified and adopted strategy for substantial population reduction exists. Only small incremental benefits can be or have been achieved by each of the dozens of recommendations.

It should be noted also that as quickly as the Department/Prosecutor/Courts respond with new population control strategies, public policy decisions are made that not only offset savings, but increase jail population pressures. Examples of recent decisions that have or will shortly affect the criminal justice system include domestic violence legislation, the addition of 70 new Seattle Police Department officers in the fourth quarter of 1987, an increase of 60 new King County police in 1988, the initiation of the AFIS system, and the aggressive emphasis on drug arrests, among others.

CHAPTER III

INTERIM POPULATION REDUCTION STRATEGIES

TABLE 3

Summary of Jail Facilities
Current Total Capacity

Tower	Wing N	Wing E	Wing S	Wing W		Total		South Dorm		Rated Capacity Subtotal		Administrative Adjustments		
Floor 7	48	48	76	26		198	+	16	=	214	-	5 psych offices	=	209
Floor 8	48	48	76		=	172	+	16	=	188			=	188
Floor 9	48♀	48♀	76		=	172	+	16	=	188			=	188
Floor 10	48	48	76		=	172	+	14	=	186	+	2	=	188
Floor 11	48	48	NA		=	96	+	0	=	96			=	96
Subtotal	240	240	304	26		810		62	=	872		-3		869
West Wing														
Floor 1						25	+	11	=	36	+	8	=	44
Floor 2						80[1]	+	16	=	96			=	96)) 168
Floor 3						60[1]	+	12	=	72			=	72)
Floor 4						135	+	36	=	171			=	171
Subtotal						300		75	=	375		8		383
NRF														
Long Term						191			=	191	+	9	=	200
DWI						25			=	25	-	9	=	16
Subtotal						216			=	216			=	216
Subtotal						1326		137		1463	+	5		
Work Release: Contract											+	30		
TOTAL						1326		137		1463	+	35		1498

[1]Male work release.

TABLE 4

Tower Capacity

Floor	Single Cells North	Single Cells East	Single Cells Subtotal	Dormitory South	Mixed West	Floor Total
7	43	48	91	92	26	209
8	48	48	96	92	--	188
9	48	48	96	92	--	188
10	48	48	96	92	--	188
11	48	48	96	--	--	96
TOTALS	235	240	475	368	26	869

Tower Female Capacity:	9 North	48
	9 East	48
	7 North	7
	7 West	3
		106

In addition to the bed capacities listed for the Tower, the Intake/Transfer/Release (ITR) area of the Tower holds inmates who are in the process of being booked, released, or transferred. This area does not have a fixed capacity and it is operated as a maximum six-hour holding area prior to release or to assignment to a residential bed location. The Intake area does not provide residential capacity, and thus, does not appear in capacity counts or bed counts. However, the population in the Intake area is reported in the jail's daily total count of inmates. Thus, it is important to identify this population separately since they do not affect crowding in residential areas.

2. West Wing Facility

The West Wing of the new jail houses participants in two programs: work release, housed on floors 2 and 3; and a minimum security program housed on floors 1 and 4. The combined current capacity of floors 2 and 3 is 168. The combined current capacity of floors 1 and 4 is 215. Currently, the population is all male. Physically, floors 2 and 3 are not totally separate floors. Floor 3 is configured as a mezzanine level above floor 2 with a small open space area, elevator landing, and balcony which overlooks the eating/dayroom area on floor 2. The eating/dayroom area is used by inmates from both floors. Because of the configuration, population groups that require separation, such as different classification groupings or security levels, cannot be mixed on these two floors.

INTERIM POPULATION REDUCTION STRATEGIES

Population Reduction Strategies

Despite implementation of the majority of the Holmquist Committee recommendations, the recent increases in the prisoner population require, yet again, another review of possible population reduction strategies. The following section outlines a number of options that may contribute to stabilizing or reducing ADP in advance of having to implement emergency level strategies. The Holmquist recommendations focused on measures that were viewed as having long-term and ongoing reduction potential. The alternatives listed here were not included in Committee recommendations because they represent interim measures only, designed to address intermittent peak population counts. In view of the serious crowding with which the facility is faced, however, interim reduction measures that can be implemented at the Departmental level, and most importantly, implemented immediately, should be fully utilized prior to implementation of more onerous emergency level measures.

The following recommendations for reducing or more efficiently managing the jail's population are ones that are viewed as temporary interim adjustments to existing policies and practices. They are designed to affect the ADP immediately in some cases, while others likely would require at least two weeks or more to implement. These recommendations are sorted into four categories as follows:

- Those that may be implemented immediately at little or no cost;
- Those that could be implemented immediately but would require additional resources;
- Those that could be implemented within two weeks at no cost; and
- Those that would require more than two weeks to implement and also require additional resources.

When possible, estimated ADP effects are noted as well as potential political ramifications and the specific steps necessary to implement the measure.

Recommendations for Immediate Implementation at Little or No Cost

1. Eliminate federal prisoners: The jail has held approximately 2-3 federal women prisoners daily, so the ADP impact associated with eliminating female federal prisoners is minimal. However, the female population is severely crowded so even modest reductions should be considered. Very little political impact is associated with this measure. Notification to the U.S. Marshal's office with as much lead time as possible would suffice to achieve implementation.

2. Limit time of "state prisoners" returned to jail for court hearings: Often prisoners serving time in a state facility are returned to the jail to be tried on other charges, testify in other prisoners' cases, or to appear at other hearings, such as restitution. Many jail days

might be saved by coordinating the arrival and departure of all such prisoners. The Prosecutor's Office under the direction of Chief Criminal Deputy Ron Clark would have to assume the lead in coordinating the scheduling of these prisoners transportations. Minimal political impacts are foreseen, although defense attorneys might object if arrangements result in difficulites in preparing for trial. ADP impact: 3-4.

3. Encourage courts to temporarily suspend issuance of warrants for nonviolent offenses with bail amounts of $500 or less. Examples of offenses that might be considered include all non-DWI charges, FTAs, and FTPFs.

4. Posting of bail in lieu of booking: It is suggested that all local law enforcement agencies establish procedures to allow for the posting of bail at the police level in lieu of booking the prisoner into jail. This might include utilizing credit card bail. ADP impact: Unknown.

Recommendations for Immediate Implementation at Additional Cost

5. Schedule additional transports of state prisoners: In addition to the weekly transfer of prisoners via a Department of Corrections van to state facilities (Wednesdays), it is suggested that the state add one additional "chain" and adjust the transfer schedule to Tuesdays and Fridays to take full advantage of moving prisoners within as few "jail days" as possible. This option has been operational in years past and should not present significant problems to the state or Department. Additional resources would be necessary to process the extra prisoners and commitment papers. ADP impact: 6-10.

6. Expand the supervised release program (Department of Adult Detention Court Services): To assure that all potential candidates for pretrial supervised release are screened and assigned to the program, it is suggested that the Department utilize extra help, reallocate staff or add counselors for the purpose of releasing additional felons. This option directly targets the group of prisoners contributing most to the Tower crowding problem. Estimated ADP impact: 20, with one additional counselor.

7. Accelerate the classification of all prisoners: It is recommended that all prisoners be classified within one day rather than the current practice of delaying classification for 48-72 hours to better utilize available beds. (Primarily minimum security areas.) Requires additional staff and does not reduce the ADP, but reduces crowding in south dorms.

8. Provide additional pretrial screeners: With unprecedented high volumes of bookings and more anticipated with the addition of 60+ new police officers, it is recommended that additional pretrial screeners be assigned to the ITR area of the jail to release as many appropriate prisoners as possible within a reasonable amount of time. ADP impact: 15.

9. Relocate medical/psych staff from 7th floor office: Medical staff are currently utilizing a five-cell living area as office space. This

option does not reduce ADP but helps alleviate crowding by providing five additional single-cell beds. Capital funds to relocate staff office space are included in the 1988 budget, and construction is planned for late spring.

Recommendations That Could Be Implemented Within Two Weeks at No Cost

10. Require that all one and two-Day DWI commitments report directly to NRF: Fully implement direct reporting of all one- and two-day DWI commitments to NRF. Request that all district courts and the Seattle Municipal Court schedule commitment dates or assure that all prisoners report directly to NRF rather than the main jail. This option does not reduce ADP, but minimizes crowding in the Tower.

Recommendations That Would Require More Than Two Weeks to Implement and Also Require Additional Resources

11. Establish a Saturday afternoon District Court calendar: This option is designed to increase the number of prisoners released who have been booked after midnight on Thursday evenings who presently do not go to court until the following Monday. This requires the support of the district court judges, the police, the prosecutor, and defense counsel, and the inclusion of a change of venue calendar for misdemeanants. ADP impact: 25.

12. Establish a Sunday Seattle Municipal Court calendar: This option is designed to expedite the release of Seattle misdemeanant prisoners booked after the Saturday court operating hours. Requires the support and coordination of the Seattle City Countil, Seattle Municipal Court judges and Court Administrator. Estimated ADP impact: 10.

13. Expand personal recognizance release criteria: To avoid peak or sustained high counts, it is recommended that the existing PR criteria be temporarily modified for the purpose of releasing additional prisoners who do not represent a "physical threat" to public safety. A request to Superior, District, and Seattle Municipal Courts to grant waivers on existing criteria should be forwarded when counts reach a level previously agreed to. ADP impact: unknown, but likely 10+.

14. Department of Adult Detention direct classification to work service and "workender" programs: Good-time release efforts are maximized. In an effort to hold the sentenced population at a manageable level, the Department (with guidelines agreed to by the Prosecutor and Courts) would implement a system to identify eligible sentenced inmates and administratively release them to the existing Department work service progam or a modified "workender" program.

15. Increase dormitory capacity at NRF: An option exists to increase the capacity at NRF for the purpose of reducing the extreme crowding in the south dorms by adding beds to existing NRF dormitories. There were five more beds per dormitory prior to the classification of NRF as a special detention facility by the Corrections Standards Board. To meet special detention facility space standards, the number of beds was reduced from 50 to 45 per dorm. Adding five beds to each of the four

existing male dormitories would produce a net gain of 20 beds. This option is useful to the extent that "NRF eligible" prisoners are available to use the additional capacity. This option does not reduce systemwide ADP, but may help reduce population in the 24-hour residential facilities if eligible inmates are available. Drawbacks are the possibility of objections from the community in which the NRF facility is located. ADP impact: 20.

CHAPTER IV

JAIL CAPACITY

JAIL CAPACITY

Purpose

The purpose of this section is to (1) explain the terms rated, operational, and emergency capacity as they are used in this report; (2) describe current jail capacity and population distribution; and (3) describe the existing inmate classification system and the effect that classification has upon use of available bedspace.

Rated and Design Capacities

Correctional facilities are assigned rated capacities based upon applicable standards and law. Standards tend to be premised upon criteria related to accepted health and safety concerns, and generally specify custodial factors including minimum square footage per inmate, sanitary requirements, shower and toilet to inmate ratios, related program requirements including visitation, recreation, meal frequency, etc. Prior to the dissolution of the State Corrections Standards Board on December 31, 1987, the Board was responsible for setting rated jail capacities in the State of Washington. Effective January 1, 1988, individual counties are responsible for adopting their own standards. Pending application for accreditation by the American Correctional Association (ACA), King County has chosen to adopt the previous state jail standards.

When the new jail facilites were first occupied in late 1985 and early 1986, the rated capacity reflected the design capacity of 1084, which included 300 beds in the West Wing and 784 in the Tower. Pursuant to modifications in the physical plant standards in 1986, the rated capacity of the West Wing was increased to 375 and permission was given to increase the capacity of the Tower by 62 beds. The Board subsequently agreed to add the Tower's 26 infirmary beds to the official count of rated capacity. Thus, at the time of the Board's dissolution, a combined capacity figure of 1247 for the two units reflected compliance with then existent state standards.

Operational Capacity

The term "operational capacity," in the context of this report, refers to a population level in excess of design or rated capacity that can be safely and humanely housed in a facility on an interim basis either with or without the addition of new resources--that is a population level above rated capacity that can be managed safely and securely and for which support services (e.g. meal service, medical care, visiting, recreation, etc.) can be maintained. It is based less on rigid calculations of minimum square feet per prisoner and more on professional judgments regarding the "totality of the conditions of confinement" and "quality of life" issues. In assessing the total circumstances, attention is given to the number of hours inmates are locked down in living units, their ability to move around dayroom, work, or other areas, support services, programs, and other factors which could mitigate the effect of being housed at a level above rated or design capacity.

While state standards did not use the term "operational capacities," the previous standards did permit increasing maximum or rated capacities by

modifying or relaxing space requirements. The standards set forth the following factors to be considered when revising maximum capacities:

> ". . .The commission's concurrence in or revision of proposed maximum capacities shall take into account a detailed analysis of the following factors:
>
> (i) The average amount of cell and dayroom space which would be available to each prisoner at maximum capacity;
> (ii) The number of hours each day prisoners in the area have access to day rooms;
> (iii) If the dayroom access is less than 12 hours each day, the amount of space per prisoner in the cell area;
> (iv) The classification and types of prisoners held;
> (v) The average length of stay of prisoners held;
> (vi) The maximum length of actual stay of prisoners held;
> (vii) The nature and amount of physical exercise available to prisoners;
> (viii) The amount of access to visitation;
> (ix) The amount of other out-of-living area time available to prisoners;
> (x) Description of other services and programs available to prisoners, especially those covered by custodial care standards; and
> (xi) The number of incidents occurring in the jail in the previous 12 months, classified by the categories of the population accounting form." (former WAC 289-15-220 3b)

Standards set by the Corrections Standards Board also contained the principle that prisoners should not be routinely housed on the floor on a mattress for extended periods of time. The standard required that prisoners not be housed on the floor in excess of 72 hours unless there were reasonable grounds to believe it necessary for the self-protection of the inmate, to avoid property damage, or to avoid substantially compromising the security of the jail.

Standards established by the ACA similarly do not formally address operational capacity. ACA standards consider the following variables when computing designed capacity (maximum standards):

- In general, the ACA method of measurement of living space instructs that the calculation of total living space of a housing unit excludes the dayroom, toilet, and shower room, as well as traffic corridors.

- Only one inmate occupies each cell designed for single occupancy. All single dorms have at least 60 sq.ft. of floor space when inmates spend no more than 10 hours per day locked in; when confinement exceeds 10 hours per day, there are at least 70 sq.ft. of floor space.

- All cells or rooms have noise levels that do not exceed 70 decibels during the day and 45 decibels at night.

- There is a dayroom for each cell block or detention room cluster. The room has a minimum of 35 sq.ft. of floor space per inmate and is <u>separate</u> and <u>distinct</u> from the sleeping area.

Setting operational capacities is not a clear-cut process. In attempting to define operational capacity levels for purposes of this report, the factors outlined for revising maximum capacities under previous state standards, as well as ACA guidelines, were considered. It must be stressed also that the concept of operational capacity is not intended as an ongoing condition of facility operation. Rather, it is intended to distinguish a workable as opposed to an inoperable situation when population levels exceed rated bed capacity in the interim which exists while planning for additional bed capacity proceeds.

Emergency Capacity

In the context of this report, emergency capacity refers to the population level above which the facility can no longer operate in a safe or humane manner. It depends on two constraints: (1) the overall physical constraints of the facility to provide security and support services, and (2) the physical size of confined living areas affecting the movement of inmates and their ability to experience normal living activities. At some point, the physical constraints of the facility are such that the ability of inmates to circulate at all in living areas is virtually eliminated due to crowding and the lining up of mattresses on the floor. Physical constraints affect the staff's ability to provide adequate standards of supervision, classification, medical care, food service, recreational opportunities, visiting, and other quality of life issues. At this point, when the totality of the circumstances of confinement is no longer humane, safe, and secure, emergency capacity has been reached and emergency measures must be taken to reduce population levels. This does not imply that reduction measures should not be taken prior to reaching emergency capacity, but that action is absolutely required at this point.

Current Capacities

The discussions of the recommended capacity distribution plan to manage crowding and the emergency reduction plan that follow presume some familiarity with the current configuration of available jail space. In an effort to assist in that discussion, current capacity or how bedspace is currently configured is described here. It is important that those responsible for making decisions regarding crowding be familiar with the major subgroups in the jail population because not all areas and facilities are crowded. At present, it is the Tower that is severely crowded, and within the Tower crowding is confined almost entirely to the south dormitories and to two single-cell wings which house women. Since, in the discussions to follow, references will be made to subgroups of the population that are housed in specific areas or facilities, it is important to know where these subgroups are housed and how they relate to total capacity and total population counts.

Total current jail capacity is spread across three facilities, and includes rated capacity of 1463 plus the following modifications made pursuant to administrative discretion: two beds added to the Tower, eight beds added to the West Wing first floor, and five beds removed from service for psychiatric staff offices. The three facilities are: (1) the downtown Tower with a capacity of 869; (2) the downtown West Wing (which is sometimes referred to as the Work/Education/Release or WER Building in other

contexts), which has a current capacity of 383; and (3) the North - Rehabilitation Facility (NRF) in north Seattle with a current capacity of 216. When the current capacities of these three facilities are added to the 30 contract work release beds currently in use, the total current capacity for all facilities equals 1498 (see Table 3).

Downtown Tower	869
Downtown West Wing	383
NRF	216
Work Release contract beds	30
	1498

1. Tower Facility

The Tower of the new jail consists of five residential floors. Floors 7-10 consist of three residential wings (North, East, and South), two of which (North and East) are single cell, plus one dormitory wing (South) on each floor. Each floor is also broken into upper and lower levels with a staff station in each wing that provides sight lines into both levels. Each single-cell wing contains 48 beds grouped into living units with five, nine or ten cells sharing a common dayroom. The exception is 7 North, where one living unit has been converted to office space, leaving a capacity of 43. Dormitory wings originally contained bedspace for 76 inmates, for a total of 172 beds per floor. Based on revisions to state physical plant standards, the State Corrections Standards Board in late 1986 authorized King County to add another 62 beds to the Tower. These beds, plus the two aforementioned additional beds, were added in the dormitory areas of each residential floor and resulted in two more Tower beds in each individual dormitory area, for a total of 16 additional beds per residential floor (excluding floor 11 which has no dormitory wing), bringing each dormitory capacity up to 92 beds. Floor 11 of the Tower is a high-security floor which contains only two single-cell wings with 48 beds in each wing for a total floor capacity of 96 beds.

In addition to the three residential wings, the seventh floor also contains the jail infirmary with bedspace for 26 inmates (west wing of floor 7). It should be noted that the north wing on floor 7 comprises the psychiatric unit. Most of the remaining capacity on floor 7 is used for those requiring some medical or psychiatric attention.

The downtown Tower facility is divided into male and female capacity as follows: female capacity consists of 96 beds in two single-cell wings on the ninth floor (48 in each), three beds for women in the infirmary, and five beds for women in one psychiatric unit living area, plus an estimated capacity of two in the restraint area of the psychiatric unit. The restraint area of the psychiatric unit can hold either males or females, and thus, the capacity is variable between men and women. Using the figures above produces a combined capacity of 106 for women in the Tower. The remaining capacity is for men, which totals 763.

West Wing Capacity

	Beds	Use
Floor 1	44	Minimum security
Floor 2	96	Work release
Floor 3	72	Work release
Floor 4	171	Minimum security
TOTAL	383	

Because of the mixed use of the West Wing facility between work release and minimum security, the term "24-hour residential population" is used to refer to that population which excludes work release. Work release participants, who leave the facility for some portion of the day to work or go to school, are not part of the 24-hour residential population. The 24-hour main residential population cannot be mixed with work release inmates. Consequently, the portion of the West Wing (215 beds) used for minimum security contributes to the overall 24-hour residential capacity for men, which is a focus of the crowding discussion, while the 168 beds on floors 2 and 3 are reserved for the work release program, which is separate and distinct from the 24-hour residential population.

The 30 contract work release beds are divided into male and female capacity. There are eight beds for men and 22 for women.

3. North Rehabilitation Facility (NRF)

NRF was established to provide an alternative site for jail inmates charged with relatively minor crimes who might better be served in a community setting and who are able to meet strict eligibility standards. The NRF program is comprised of two components: long-term residential treatment and short-term housing for persons serving DWI sentences.

The long-term (generally 30 days) program emphasizes referral to community resources upon release and an atmosphere conducive to the beginning of recovery for inmates suffering from alcohol and/or drug dependencies. The program also provides education and assistance in other areas which will be of use to individuals completing the program. The one-day DWI program emphasizes information on drunk driving and alcoholism, films, group counseling, lectures and an orientation to all aftercare facilities in the County.

The rated capacity of NRF is 216, which included 191 long-term beds and 25 beds for the one-day DWI program. The 191-bed portion of the facility was classified by the Corrections Standards Board as a special detention facility, and the 25-bed portion of the facility as a 72-hour holding special detention facility. In early 1988, an administrative adjustment resulted in a transfer of nine beds from the one-day DWI program to the long-term area to provide needed additional long-term capacity for women. The total capacity of 216 is unchanged, but the current capacity is divided between the two programs as 200 beds for the long-term program and 16 beds for the one-day DWI program.

NRF:	Long Term Bed Capacity	
	Male	180
	Female	20
	Subtotal	200
	Short-Term DWI Program	16
	TOTAL	216

A summary of jail subgroups follows. It is important to note that when dividing the population among different uses, the capacity counts cross facilities, as illustrated below:

Main Residential		Work Release		NRF		Total
Tower	869	West Wing	168	NRF	216	
West Wing	215	Contract beds	30			
	1084	TOTALS	198		216	1498

CHAPTER V

CROWDING MANAGEMENT PLAN

CROWDING MANAGEMENT PLAN

Purpose

The purpose of this section is to outline (1) options that are available for managing crowding, (2) premises underlying the recommendations presented in the crowding management plan, and (3) a crowding management plan consisting of a rational sequence of steps designed to address how population in excess of current capacity could be accommodated. While the plan does envision some additional capacity being added over the short term, as well as some reallocation of existing capacity, the focus of the plan is to respond on an interim basis to projected crowding with housing resources that are currently available.

Background

From the moment the new jail facility opened in January 1986, peak population periods have occurred that exceeded the rated capacity. In responding to these population pressures, the Department has adhered to an informal policy in which crowding of male inmates has been confined to the south dormitory areas. The rationale for this policy was threefold: (1) observation of inmates housed in the south dormitory areas is easier than observation of inmates housed in the single-cell areas, thus generating less impact on staff resources; (2) the population housed in the south dormitory generally consists of "receiving"--newly arrived inmates who have been assessed and rejected for any of the immediate release programs and who are awaiting an initial court hearing and/or classification into a permanent housing assignment. Approximately 60% of these inmates are released before the 48- to 72-hour classification delay elapses. Thus, rather than impose crowded conditions on longer term residents, the situation has been confined, where possible, to the population with the greatest degree of turnover. And, (3) staffing resources were added to the south dormitory areas in 1986 to help manage the excess population. Such resources have not been allocated to manage crowding in other areas. As population in the Tower has risen, however, it has become apparent that it is no longer feasible to confine crowding to the south dormitory areas.

Actual floorspace is a limiting factor. Hypothetically, 30-35 inmates at maximum could be housed in a dormitory area. Accomplishing this would require the overlapping placement of mattresses over nearly every square inch of floor space except the bathroom, plus placement of mattresses on the dining tables. There would be little or no space to provide a traffic corridor through the dormitory for access to the bathroom or for staff to enter the dormitory for observation. Movement within the dormitory would be very difficult since it would require stepping over mattresses and bodies. The tables would be unusable due to the crowding of mattresses up to and under the seating area and, in some cases, on the table surface. Inmates would basically be confined to their bedor mattress while inside the dormitory. This is clearly unacceptable. Alternative means of distributing excess population beyond the south dormitories must be devised.

A similar situation exists for female inmates. Although capacity for women appeared to be adequate when the jail first opened, growth in the female population has occurred steadily and has greatly exceeded available

capacity. Daily 24-hour residential counts for women have frequently been in the 140's and as high as 154. The only capacity available for women has been two single-cell wings on floor 9, with the exception of psychiatric and medical space. Should populations expand further, double-celling and, in some cases, triple-celling would be necessary. In order to put three women in a single cell, two mattresses would have to be put on the floor, with part of one running underneath the built-in bunk, and the other angled diagonally across the cell abutting the toilet. There would be no room to walk and no clear access to the sink or toilet. However, with some cells reserved for isolation purposes as required for the classification of inmates, triple-celling would at times be the only alternative. This situation is also unacceptable, and alternatives for housing the female population must also be considered.

In summary, current population levels are taxing the ability of the Department to manage excess population under the current capacity plan. Further increases will exacerbate the problem. In an effort to develop a more acceptable population management and capacity plan, options for accommodating crowding on an interim basis were developed and reviewed. The following sections present the premises against which the various options were evaluated, as well as the list of options considered.

Crowding Management Plan: Premises

The major focus in developing options for accommodating the unanticipated excess population is that a significant amount of new interim capacity is needed. One option is the redistribution of the excess population within existing facilities. When evaluating possible redistribution of populatio both operational and physical contraints were considered. Consideration was given to usable dayroom space, toilet facilities, ceiling height, meal seating, noise levels, length of stay in area, ease of supervision, medical concerns (transmission of airborne diseases such as tuberculosis, or respiratory and enteric diseases), freedom of movement, and maintenance of classification distinctions.

Corrections Standards Board (now King County adopted) physical plant and custodial standards were also considered. For example, space standards for dormitory housing specify 85 sq.ft. of living space per inmate in the Tower and 75 sq.ft. in the West Wing. A ratio of 14 inmates per toilet is also required. Given crowding levels, it is not possible to adhere to these standards, but in redistributing population, it was attempted to keep the deviation both as consistent as possible across affected living units, and to moderate the level of deviation to the extent possible.

In addition to these factors, there are probably some very real constraints that require definition beyond the scope of this paper, and which may result in modification of some recommendations. For example, fire evacuation concerns, ability of the HVAC system to adequately ventilate crowded areas, and the ability of the kitchen to store food and produce meals sufficient to feed populations at the higher end of the crowding management plan need to be more carefully analyzed.

It must be stressed that despite the consideration given to the factors outlined, in recommending allocation of population levels in excess of rated

capacity, no formal assumptions about modification to space standards, or ratio of inmates to various living facilities, for example, drove the calculation of recommended population limits.

Instead, the overall goal of the recommendations is to provide reasonable access to facilities and services given the degree of crowding and not to overburden any particular segment of the population.

In reviewing options for augmenting capacity outside existing facilities, some additional factors were considered in assessing relative merit of available options:

- The present facility configuration: What can be done within the present physical parameters without extensive remodeling?

- The number of prisoners affected: What is the ADP impact or number of prisoners who would have to be reassigned to another bed location?

- The "status" or prisoner group affected: Which status group is targeted or affected by the proposed action, including: felon/misdemanant, male/female, sentenced/presentenced, state, "all others," classified/unclassified, and the different security levels?

- The resources required: What additional resources (if any) are required to support the proposed action, including: staff, supplies and materials, and/or capital improvements?

- Time constraints: How quickly can the program or option be put in place or implemented?

- Potential liability issues: Does the program or option subject the County to additional risk? Examples: Prisoner rights suits and suits associated with incidents involving prisoners released early, not booked or administratively released under expanded criteria.

- Community ramifications: Are there negative citizen's concerns associated with the program or option? What will the communities, cities (contracting), and citizens' positions be?

- Scope of support required: How many and what officials, programs, agencies, and/or communities will be impacted and whose support is essential?

- Short-term impact: What immediate short-term positive benefits are associated with the program or option?

- The degree to which the option compliments long-term rational planning: To what degree does the option address projected long-term demands on bedspace? Examples: Facility reconfiguration, movements of one status group to another facility or location (i.e., is the plan flexible, can it accommodate shifts in patterns or trends?).

- Compatibility with correctional standards: Does the option comply with established correctional standards or have the ability to be modified to do so?

Each option or alternative's potential for addressing crowding management was considered with these criteria as a measure. Emphasis was placed on options that could be implemented quickly at minimal cost and that did not require lengthy negotiations or represent significant political or liability problems.

Options

In the context of this report, it is assumed that (1) continuing a status quo policy of confining crowding to the south dormitories regardless of population levels, or (2) imposing a population lid coincident with rated capacity are not acceptable solutions. Given these, options considered for managing crowding were divided into two groups: (1) more intensive use of space within existing facilities in order to house more inmates, and (2) expansion of capacity by adding new interim bedspace. The pros and cons of each option are also noted.

1. More Intensive Use of Existing Space

a. Reconfigure the West Wing to house minimum security

The fourth floor of the West Wing was originally designed to house a total of 135 work release participants. In response to the population pressures experienced in the Tower, combined with the inability to program 300 work release beds, the fourth floor location has been used to house classified minimum security inmates from the time the building opened. Not long after the facility opened, the rated capacity of the fourth floor was increased by 36 beds to its current level of 171.

Funds were provided in the 1988 budget to complete capital modifications necessary to convert use of the West Wing from work release to minimum security use. In addition to that conversion, consideration must now be given to increasing the overall population assigned to the West Wing, and most specifically to the fourth floor.

Arguments in favor of increasing population numbers on the fourth floor include the relative ease of observation and available square footage relative to other available housing areas. The fourth floor totals 12,864 sq.ft. With 171 inmates, this equates to 75 sq.ft. per inmate. Beds on the fourth floor are bunk style. As a result, additional beds can be added vertically. This reserves floor space for routine daily activities, somewhat minimizing the impact of crowding. There is currently space to seat 60 inmates at tables for meals. The fourth floor has a total of 10 toilets, 7 urinals, and 18 sinks--a configuration that could support additional population without undue inconvenience. Thus, overall configuration of the fourth floor appears to render it able to absorb additional population. Drawbacks include lack of visitation areas, the inability to lock down the inmate population because of lack of toilet facilities in the individual dormitory areas, and only one outdoor recreation area on the first floor designed to serve the entire West Wing.

In contrast to the fourth floor, the second and third floors of the West Wing were not assessed as good candidates for capacity increase due to their unique physical configuration as described in the "Jail Capacity" section of this report. For example, the total square footage of the two floors includes corridor space for dormitory access but provides no usable dayroom space. The same applies to the elevator landing and balcony area on floor 3 which serves primarily as a traffic corridor. The existing combined dayroom/eating area on floor 2 which serves both floors would be barely adequate to service the existing capacity of 168. Noise levels are currently high, and observation on this floor is more difficult due to the arrangement of the dormitories off the side corridors. One small open area, which currently holds a pool table, does not lend itself to ready observation due to its location at the end of a side corridor away from the main dayroom.

As mentioned previously, the current capacity of the first floor of the West Wing was recently increased from 36 to 44 beds and has effectively reached maximum utilization. All beds are currently double-bunked.

b. Increase current capacity at NRF

Male dormitories at NRF currently house a total of 45 beds per dormitory. Prior to receiving Special Detention Facility status by the Corrections Standards Board, each dormitory held 50 beds. One option considered for absorbing additional capacity is to reinstate an additional five beds per dormitory for a total of 20.

An advantage of this option is that beds could be added in a very short time and at minimal cost with the concurrence of the community. The bed configuration is also flexible in that the beds could be on line for a few months to several years. Crowding at NRF, from an inmate's point of view, can be compensated by the campus atmosphere and freedom of movement afforded those assigned to the facility. Adequate recreation and living space is available, although sleeping quarters may be constricted.

Possible constraints to this alternative include whether sufficient number of "community security" level prisoners would be available in custody on a consistent basis to assure a high bed utilization rate. The proposed number of beds would exceed the standards established for special detention facilities, and the community must be involved in this option prior to implementation. The NRF program is a very successful one and every effort must be made to assure that this resource continues to be available.

c. Double-Cell the Tower

The issue of double-celling is associated with the following concerns:

- There is a mistaken impression that double-celling represents virtually a cost-free means of accommodating spiraling

population numbers. In fact, double-celling is a costly alternative for managing crowding. Additional staff are needed to provide a proper level of surveillance and control, as well as to handle living unit problems, disputes, disciplinary hearings, and to handle movements to resolve problems. Support services become expensive when spread across double-celled areas, affecting scheduling and staffing. A more detailed analysis of the resources needed to double-cell is anticipated, which can then be compared to other options. What at first may appear to be a quick and cheap alternative may, in fact, be viewed as less desirable when the full costs are identified. As a matter of public policy and good management, additional resources must be added if double-celling occurs so that appropriate standards are reasonably complied with.

- Double-celling increases the potential that more incidents will occur. With double-celling, surveillance is reduced and the control that is gained from physical separation with single-celling is lost. Staff responding to a potential increase in incidents may be exposed to increased injury potential.

- The County has adopted Corrections Standards Board (CSB) standards which do not permit double-celling. Double-celling violates the space standards contained in the CSB standards, which were recently adopted by King County.

Double-celling represents the least desirable option for accommodating crowding. If it becomes necessary to implement double-celling, it must be noted that additional resources will be necessary to ensure (1) maintenance of adequate surveillance; (2) program activities, including visitation and recreation; (3) meal schedules; and (4) classification and medical services. Without sufficient resources double-celling is not a viable option. The fact that it now is an option under serious consideration serves to emphasize that the crowding situation is truly approaching serious proportions.

2. Interim Expansion of Capacity

a. Reopen the twelfth floor of the King County Courthouse (Unit I)

Strong interest has been shown by a variety of parties in reopening the old Unit I facility. The primary advantage of this option is that the space was previously utilized as jail space which minimizes time-consuming and difficult negotiations, has a short time frame before occupancy by the work release population could occur, and has few significant environmental impacts on the immediate locale. This space's proximity to existing jail operations is also a benefit.

However, depending on the status of prisoners targeted (other tha work release), this could be a very costly option and one that m require several months of remodeling. The cost of staffing Unit

is also considered a detriment, as are concerns about overall facility operations in terms of service delivery. The Unit I facility was closed because it was judged to be grossly out of compliance with a host of standards, including inadequate natural light, insufficient square footage per inmate, noise level violations, sanitation, etc. The capital cost of bringing the facility into compliance for use once again as secure housing was considered prohibitive when last reviewed given the useful capacity that would have resulted.

Assuming the County renovated the area to be in compliance with all relevant building/fire codes and correctional standards, the capacity would not adequately address the current crowding problem, much less accommodate future growth. The latter point merits consideration in that there is concern that the possible substantial costs associated with this option might preclude the development of any necessary future expansion.

Thus, while the aforementioned double-celling of the Tower is considered a drastic, last choice alternative, it nevertheless represents a better alternative in terms of overall conditions of confinement and security than attempting to reinitiate operation of the twelfth floor for secure confinement.

In contrast, housing of 100-150 work release inmates, unlike formally incarcerated inmates, could be accomplished with very little renovation by merely opening several former dormitory areas. The fact the work release participants leave the facility for a good portion of the day renders it less onerous to confine them for relatively short periods. Also, more potential options for relocating work release to other facilities exist, making it less likely that the transition back to Unit I would be long term. Costs of supervising work release inmates in terms of staffing is also minimal. Finally, in the long term, this space might be more appropriately utilized for additional courtrooms. Drawbacks include the fact that minimal remodeling will not bring the facility into compliance with special detention facility standards, there will be an impact on the Courthouse because entrance and egress will have to be provided to the twelfth floor 24 hours per day, and jail operations' schedules and services, such as meal delivery, will have to be modified.

b. <u>Expand capacity at NRF</u>

Formerly the State of Washington operated a 50-bed work release facility at NRF. The program was relocated several years ago and the facilities remain vacant. One alternative for expanding interim bedspace involves King County acquiring use of the former state dormitory space and expanding existing long-term NRF program beds by 50.

As stated previously, any population expansion proposed for NRF must be negotiated with the affected community. Given necessary community concurrence, the NRF administrator indicates bed

expansion could be implemented within about 60 days. Preliminary capital cost estimates are $40,000, in addition to necessary staffing to operate the added capacity.

c. Relocate the work release program into new capacity outside of the West Wing

The 1988 capacity plan submitted in support of the budget assumed that capital modifications to the West Wing planned for 1988 would result in the work release program being relocated to one end of the fourth floor in order to free up 168 beds for minimum security use on floors 2 and 3. Because participants in the work release program are given a "community" classification designation, many more options for accommodating them exist when compared with the 24-hour residential population. For this reason, and in response to population pressures in the Tower, an option which involves complete relocation of the work release program out of the West Wing requires serious consideration. Four options are presented, each of which assumes that the existing average population of 180 will be maintained:

		# Inmates
(1)	Reopen the twelfth floor Courthouse	100
	Implement electronic home detention	50
	Continue contract beds	30
	Total	180
(2)	Open a sixth dorm at NRF	50
	Convert floor 1 of the West Wing to work release	44
	Implement electronic home detention	50
	Continue contract beds	30
	Queue	6
	Total	180
(3)	Convert floor 1 of the West Wing to work release	44
	Implement electronic home detention	50
	Continue contract beds	30
	Add new contract beds	20
	Queue	36
	Total	180
(4)	Contract all beds	130
	Implement electronic home detention	50
	Total	180

d. Increase the number of contract work release beds with the state

It may be possible to add up to 20 additional beds at state work release facilities by amending existing contracts. This option could be implemented within a short time frame, costs would be reasonable, and the option would accommodate both sentenced felons and misdemeanants. In addition, it requires the cooperation of only a few agencies (the Department of Adult Detention and the

Department of Corrections), and it does not appear to have adverse liability or political ramifications. However, the state has its own demand for the same beds.

e. Contract/lease beds

It may be possible to lease beds from the state or local area jails. This option would accommodate peak populations and could be the most long-term, cost-effective measure available if ADPs decline in the future. Both felons and misdemeanants could be served and this option does not have adverse impacts on local communities or present significant liability or political concerns.

Recommendations

Based on a review and assessment of available options, weighed against the decision criteria outlined in the "Premises" section of this chapter, the following crowding management recommendations are made:

- Restrict crowding in the south dormitories up to a maximum of 20 inmates per dormitory. In some cases, population in the south dormitories currently exceeds this maximum, such that a decrease will actually occur in certain areas when this plan is implemented.

- Increase capacity on the fourth floor of the West Wing.

- Restrict capacity on floors 2 and 3 of the West Wing to the existing 168 beds but convert them from work release to minimum security use.

- Retain the current capacity of 44 beds on the first floor of the West Wing but convert them to house female 24-hour residential population.

- Pursue the addition of 20 additional bunks in the existing dormitories at NRF. Because implementation of this option requires concurrence of the community, the potential expansion is not included in the crowding management plan.

- Permit partial double-celling of the Tower limited to residential areas classified medium and below. The recommendation to double-cell also is restricted to no more than 76 beds per wing, in order to provide flexibility for ongoing mandatory classification distinctions.

- Relocate the work release program to the twelfth floor of the Courthouse. Implement electronic home detention as a means of gradually reducing the work release residential population that must be accommodated in the relocated space.

- Pursue the addition of another 50-bed dorm at NRF. Again, because community involvement is a factor and remodeling work would have to be completed, this option is not included as a recommendation that can be immediately implemented.

- Initiate contacts with state and local agencies regarding the contract/lease of additional bedspace. Because of the cost implications inherent

in this option, the fact that the number of potentially available beds and subgroup of inmates that might be affected is not known, combined with the time delay in having to negotiate a lease and procure supplemental funds, additional beds that might evolve from implementation of this option are not included in the crowding management plan.

Crowding Management Plan: Step-by-Step Implementation

Following is a step-by-step description of the proposed plan to manage crowding in the King County Correctional Facility. Tables 5 and 6 summarize the plan in chart form.

Step 1: Absorb crowding in the south dormitory areas to a maximum of 20 inmates per dormitory

Because it has been the Department's policy to confine male crowding to the south dormitories, the first step proposed in an crowding management plan is to absorb excess population in the south dormitories. Justification for this policy was provided earlier. As the result of severe crowding experienced in the south dormitories recently, restriction of crowding to a limitation of 20 inmates per dayroom actually could result in some immediate crowding relief in some dormitories where population currently exceeds the 20-inmate restriction.

Overall square footage in the south dormitories is about 1058 sq.ft. per dormitory, which, per space standards, permits the housing of 12 inmates in each individual dormitory living area. Each dormitory contains but one toilet, one sink, and one shower, factor that must also be considered when setting permitted population levels. Assignment of a maximum of 20 inmates per dormitory results when eight mattresses are added to the floor of each dormitory, reducing the square footage per inmate to 58 sq.ft., and increasing the inmate to toilet ratio from 1:12 to 1:20

NOTE: At the point where the south dormitory areas on floors 8, 9, and 10 are at assigned maximum capacity, staffing increases to ensure that the south wings are consistently manned around the clock in order to provide adequate observation becomes essential. The south wings on floors 9 and 10 are already staffed on first and second shift only. Additional staff to cover third shift on those two floors, plus another 24-hour post for the eighth floor will be necessary. Furthermore, as population increases over that level anticipated in the 1988 budget, additional resources in a number of functional areas, including classification, court services, transportation, kitchen support, booking and release, and property management, for example, will be required to maintain adequate service levels.

Step 2: Add a total of 52 beds to the fourth floor of the West Wing

At the point the south dormitories have been maximally utilized and population continues to increase, the next step recommended is to add a total of 52 beds to the fourth floor of the West Wing. Addition of 52 beds on top of the 36 beds added in 1986 would effectively double-cell 50% of the existing dormitory space. A limitation of 50% is set in consideration of other physical constraints, including availability of sanitary facilities as well as programmatic considerations.

Step 3: Pending the relocation of the work release program, the next incremental step in the crowding plan calls for partial double-celling of the eighth floor north wing

The female population is housed on the ninth floor and is already over capacity and double-celled. Floor 10 houses inmates classified as "close" security, a high-risk group. The seventh floor houses psychiatric population and inmates with medical problems. That leaves the eighth floor which is assigned to inmates classified as medium security. The double-celling would be accomplished up to a total of 76 in deference to classification requirements to retain some single-cell options. Addition of 28 inmates in the north wing would be accomplished by adding mattresses to designated single cells in the wing.

Step 4: Increase the population of the eighth floor east wing by partial double-celling

As population continues to expand, the next area pegged to accommodate additional population is 8 East. The reasons are the same as those outlined for 8 North. Again, 28 inmates would be added with mattresses assigned to designated single cells up to a maximum of 76.

If the work release program has already been relocated such that 168 beds are available on floors 2 and 3 of the West Wing, then there is no reason to implement Steps 3 and 4. The crowding management plan would move directly to Step 5.

Double-celling of these areas will also necessitate addition of security staff to ensure adequate observation and carrying out of routine scheduled and unscheduled events.

Step 5: Relocate work release outside of the West Wing; reduce the eighth floor north and east wings back to single-cell occupancy; transfer the 56 additional male inmates to floors 2 and 3 of the West Wing; open up floor 1 of the West Wing for women

Step 5 of the crowding management plan assumes that with the initiation of double-celling on the eighth floor, action has been taken to relocate the work release program away from the West Wing. With work release relocated, a total of 168 beds on floors 2 and 3 become available to mitigate male crowding in the Tower. However,

minimum security men housed on West Wing floor 1 would be transferred to floors 2 and 3; the net gain of beds for men is 124 and for women is 44. When the 56 previously double-celled inmates are transferred from 8 North and 8 East, 68 beds are realized to absorb additional male population growth.

Relocation of the excess population from the Tower double-celled areas to the West Wing is consistent with Department policy to avoid double-celling of the single-cell areas except as a last resort. The same principle applies to the women's population. The standard of double-celling up to a maximum of 76 beds per wing is applied, and the double-celled women are transferred to floor 1 of the West Wing when the space becomes available. This results in 12 cells still double-celled on 9 North (see Table 6). A total of 391 minimum security men and 44 minimum security women can now be housed in the West Wing.

Step 6: Double-cell the eighth floor north wing

Having exhausted West Wing resources, should the population continue to rise, the next population increment would be accommodated by double-celling the eighth floor north wing as described under Step 3.

Step 7: Double-cell the eighth floor east wing

As per Step 5, an additional increment of up to 28 inmates would be accommodated by installing a mattress on the floor of designated single cells in the east wing.

Addition of 28 inmates to the east wing would increase the male residential capacity from 1454 to 1482. Total capacity is now at 1992.

Step 8: Double-cell the east wing of floor 10

At the point no further capacity is available in medium security areas, the next option for absorbing continuing growth becomes the tenth floor. As stated previously, the tenth floor consists largely of an inmate population rated "close" security. Close security is one level removed from maximum security and is used to classify inmates with extensive previous criminal history and/or disciplinary problems. Often these inmates pose a danger to other inmates and have difficulty getting along in a general population setting. Out of the total population in 10 East, about half of the capacity is dedicated to holding medium security inmates. Double-celling of the wing would be accomplished with 24 mattresses being added to the medium security living areas only.

CHAPTER VI

EMERGENCY REDUCTION PLAN

TABLE 5

Crowding Management Plan Summary for Males

Step #		Residential Male Capacity
Start:		978
1.	Restrict crowding of the south dormitories to a maximum of 20 inmates per dormitory for an overall population not to exceed 192 beds in the south dorms (this will actually result in a decrease in the number of inmates housed in these areas in some cases.)	192 1170
**2.	Add 52 beds to West Wing fourth floor	52 1222
3.	If the work release program has not been relocated, initiate double-celling of 8 North to a maximum of 76 beds, adding 28 mattresses to designated single cells	28 1250
4.	Add 28 mattresses to 8 East	28 1278
5.	If work release has been relocated, add net 68 beds in West Wing floors 2 and 3	68* 1346
6.	Add 28 mattresses to 8 North to achieve double-celling up to a maximum of 76 beds	28 1374
7.	Add 28 mattresses to 8 East to achieve double-celling up to a maximum of 76 beds	28 1402
8.	Add 24 beds to 10 East to achieve double-celling up to a maximum of 72 beds	24 1426
	TOTAL GAIN	448

*Move of work release: + 168 beds on floors 2 and 3
- 44 vacating floor 1
- 56 movement of double-celled inmates on 8 North and 8 East

68 NET GAIN

**As of March 7, 1988, the male inmate population was at a level requiring implementation of Step 2.

TABLE 6

Crowding Management Plan Summary for Females

Step #		Residential Female Capacity
Start:		106
1.	Restrict crowding of 9 North to a maximum of 76 beds by adding a total of 28 mattresses to 9 North	28 134
*2.	Restrict crowding of 9 East to a maximum of 76 beds by adding a total of 28 mattresses to 9 East	28 162
3.	Add 44 beds on floor 1 of West Wing, reduce double-celling by 44	44 206
	(Net gain is 0, with 12 mattresses still in place on 9 North; relocate work release).	
	TOTAL GAIN	100

TOTAL FOR MEN AND WOMEN:	Start	1498
	Gain for Men	448
	Gain for Women	100
	TOTAL	2046

*As of March 7, 1988, the female inmate population was at a level midway through Step 2 and approaching Step 3.

EMERGENCY REDUCTION PLAN

Purpose

The crowding management plan and the interim population reduction proposals presented earlier may alleviate crowding in King County Correctional Facilities until long-term plans for accommodating expected jail population are developed and implemented. However, in the event that periodic peak populations or overall increases in population occur which jeopardize the safe and secure management of the inmate population, an emergency plan for reducing population and restoring safe and secure conditions is necessary. Without such a plan, there is a greater risk of federal court intervention in regulating the population and in the internal management of the jail. This chapter presents a recommended emergency reduction plan. The plan outlines the actions to be taken, sets operational criteria for invoking the plan, and sets an emergency population lid for males and females.

Background

The integrity of the criminal justice system depends, in part, on adequate, secure jail space. In addition, the flow of prisoners through the jail is controlled almost entirely by the actions of the independent criminal justice agencies. In developing an emergency reduction plan, a balance must be struck between the needs of the criminal justice system for adequate jail space and the need to maintain safety, security, and humane conditions within the jail's facilities. Excessive, unmanageable crowding jeopardizes safe and humane conditions. The emergency reduction plan provides a mechanism for preventing unmanageable conditions from developing.

There is a precedent for the development of an emergency reduction plan in King County. Twice, since 1980, emergency reduction plans were developed to address the possibility of potentially imminent population crises. The Executive Commission Report on the King County Jail issued in December 1980 (the first "Holmquist Report"), contained both recommendations for population reduction strategies and a "Population Lid Procedure." Again, in 1983, an Emergency Crowding Plan was completed and approved by the County Executive, the Department of Adult Detention Director, and the Prosecuting Attorney. There were some differences in approach and level of specificity between the two plans, but both called for the imposition and maintenance of a population lid beyond which jail population would not be permitted to increase.

Overview of the Emergency Reduction Plan

The recommended emergency reduction plan submitted here has three steps (Advance Warning Level, Level I, Level II):

- First, an advance warning population level is identified to alert local officials and the criminal justice system that emergency levels will soon be reached.

- Following the advance warning step, should population continue to increase, comes the Level I threshold. At Level I, an emergency population level is identified and a series of reduction measures to be

taken at this point are specified. Level I measures are those which the County Executive can direct be implemented without extensive involvement by all segments of the criminal justice system. Measures which require some lead time can be implemented at this point, while there is time for them to take effect. Some Level I measures are also listed under interim reduction measures. They are included again as Level I emergency measures to ensure that if they were not fully implemented as nonemergency measures, that they be reconsidered in the context of an imminent population emergency.

- Level II threshold measures are invoked when population threatens to exceed the recommended capacity lid. Level II measures are more drastic, have more impact on the criminal justice system, and are intended to maintain population below the population lid. The Level II measures call for a panel of selected representatives of the criminal justice system to assist the County Executive in identifying the emergency measures to be implemented and the order of implementation.

It is not inevitable that the emergency reduction plan will be invoked. To the extent that ongoing proposals to reduce population, such as those proposed by the Jail Committee Work Group, and interim population reduction measures are successful, then the implementation of the emergency plan will be delayed or avoided entirely. Addition of sufficient capacity to address population levels will also forestall the need to use emergency measures. The emergency reduction plan is premised on an analysis of the absolute limits to crowding which can be managed even with additional resources in the existing Tower and West Wing.

Operational Criteria for Invoking the Emergency Reduction Plan

The specific population levels which trigger the emergency reduction plan refer to the 24-hour residential population of men and women, and not to systemwide population totals. This is because counts in other areas and facilities, such as intake and work release, do not affect crowding in the 24-hour residential areas. However, for ease of reference, and because of the regularity with which the systemwide total population count is used, total population counts have been estimated which correspond to the 24-hour residential facility population levels which trigger the emergency reduction plan.

The operational criteria for invoking the emergency reduction plan is tied to the determination of the total level of crowding which can be absorbed both operationally and within the physical constraints of the facilities. The population lid is the point at which no additional crowding can be absorbed and still maintain a safe and humane facility. The population lid defines this point, and is based on all operational capacity that would be added to the facilities by implementing all steps of the crowding management plan. The assumption is made that work release is relocated outside of the West Wing and that beds and mattresses are added as given in the crowding management plan. The intermediate levels of the plan are set so that as population increases, action is taken to moderate further increases and, ultimately, to ensure that the lid is not exceeded.

The operational criteria for each level of the emergency reduction plan is

given below. Once the overall capacity (i.e., bed capacity plus mattresses on the floor) associated with each threshold is determined, the population level that would trigger each step of the plan corresponds to the capacity less a 1.5% vacancy rate.

The rationale for the 1.5% vacancy rate is that while currently the vacancy rate is approximately 5%, as crowding increases, the vacancy rate would decline. It is assumed no vacancies would occur in double-celled wings and in the south dormitories. When the current vacancy rate is calculated to exclude these areas, the result is an expected 1.5% vacancy rate. This applies to the women's areas as well. As they become double-celled, vacancies would remain in segregation units, in the cell without a toilet and, due to classification, in the West Wing.

Level and 24-Hour Residential Population Which Triggers Implementation	Description	Capacity
Advance Warning Level Men: 1286 Women: 162	Indicates that the Level I emergency reduction measures will soon need to be implemented. Provides warning to officials and the criminal justice system.	For men, Level I less 40 For women, Level I less 14
Level I Men: 1326 Women: 175	Indicates that Level I emergency reduction measures should be implemented. For men, the point where double-celling begins and the only remaining options for absorbing crowding are double-celling on 8 North (28 cells), 8 East (28 cells), and 10 East (24 cells).	Level II less 42
	For women, the point where double-celling of second wing on floor 9 begins and the only remaining option for absorbing crowding is double-celling of one wing on floor 9 (28 cells).	Level II less 14

Level and 24-Hour Residential Population Which Triggers Implementation	Description	Capacity
Level II Men: 1367 Women: 189	Indicates that Level II emergency reduction measures should be implemented. Level II measures are intended to keep 24-hour residential jail population below the lid.	
	For men, the point half-way through the double-celling of 8 East, leaving the only remaining options for absorbing crowding the double-celling of the remainder of 8 East (14 cells) and the double-celling of half of 10 East (24 cells).	Lid less 38
	For women, the point half-way through the double-celling of the second wing on floor 9, and the only remaining option for absorbing crowding is double-celling the remaining second wing (14 cells).	Lid less 14
24-hour Residential Population Lid	Maximum level of crowding that can be absorbed in the 24-hour residential facilities.	
Men: 1405 Women: 203	For men and women, the point at which all operational capacity over rated capacity has been used.	Lid for men: 1426 Lid for women: 206

Implementation of Emergency Reduction Plan

Step 1: Advance Warning Level

When the combined male 24-hour residential population reaches 1286 for three consecutive days, or the combined female residential population reaches 162 for three consecutive days, the Department of Adult Detention Director will notify the County Executive and independent criminal justice agencies that a state of emergency crowding exists. The notification will include the current and recent population levels in the various facilities, descriptive information as to the type of inmates held, and any information available as to the reasons for the increase. The notification shall also include a summary of the agreed upon Level I and Level II reduction procedures and the population levels which trigger their implementation. The Director should indicate whether and when he anticipates that the emergency levels will be reached.

TABLE 7

Jail Population at Emergency Reduction Plan Thresholds

	Residential		Other Facilities*			
	Men	Women	Intake	EHD/ Work Release	NRF	Total
Advance Warning Level	1286	162	35	180	205	1868
Level I Threshold	1326	175	35	180	205	1921
Level II Threshold	1367	189	35	180	205	1976
Lid	1405	203	35	180	205	2028

*Populations are estimated based on current levels. A combination of work release beds and electronic home detention accommodates the expected work release population.

TABLE 8

Bed Capacity and Inmates on Floor
At Emergency Reduction Plan Thresholds

	Jail Population		Rated Capacity		Over Rated Capacity			24-Hour Residential Capacity
	Residential Population	Estimated Total Population	Beds in Tower	Beds in West Wing	Beds in Tower	Beds in West Wing	Mattresses in Tower	
MEN								
Advance Warning Level	1286	1868	761	339	2	52	152	1306
Level I Threshold	1326	1921	761	339	2	52	192	1346
Level II Threshold	1367	1976	761	339	2	52	234	1388
Lid	1405	2028	761	339	2	52	272	1426
WOMEN								
Advance Warning Level	162	1868	106	36	0	8	14	164
Level I Threshold	175	1921	106	36	0	8	28	178
Level II Threshold	189	1976	106	36	0	8	42	192
Lid	203	2028	106	36	0	8	56	206

TABLE 9

Population Lids Assuming Various Modifications to the Recommended Crowding Management Plan

	24-Hour Residential Population Lid	
	Men	Women
1. Recommended crowding management plan	1405	203
2. Current use; limit south dorms to eight mattresses on floor per dorm; no other additions to operational capacity	1152	160
3. Work release relocated to first floor of West Wing with all other work release capacity outside of West Wing; all other operational capacity in recommended plan included, except first floor of West Wing not available for women	1405	160
4. Work release not relocated; all other operational capacity in recommended pln included, except first floor West Wing used for men	1282	160
5. Work release not relocated; all other operational capacity in recommended plan included; includes use of first floor of West Wing for women	1239	203

Step 2: Level I Emergency Reduction Plan

When the combined male 24-hour residential population reaches 1326 for three consecutive days, or the combined female residential population reaches 175 for three consecutive days, the Director will immediately notify the County Executive and request that the Executive invoke the Level I emergency reduction plan. With the concurrence of the Executive, the Director will notify the independent criminal justice agencies of the problem and indicate his intention to begin implementing the Level I emergency reduction plan. The Director will then seek the implementation of the Level I reduction measures.

In the event the male residential population of the Tower and the West Wing has not been at 1326 for three consecutive days, or the female residential population has not been at 175 for three consecutive days, but the Director determines that there is an imminent threat to the safety and security of the jail due to crowding, the Director will notify the County Executive of the nature of the problem and request that the Level I emergency reduction plan be implemented. The Director may also request that the Level I plan remain operational if the threat to safety and security of the facility continues to exist. When the population drops below 1326 for men or 175 for women, has stabilized for at least three days, and no longer represents a threat to safety and security, the Director will notify the Executive and advise him that Level I measures be held in abeyance.

Level I Population Reduction Measures

Depending on the mix of prisoner types in crowded areas and the reduction strategies which have already been implemented, one or all of the following would be implemented as Level I measures. The Director will seek implementation of the reduction measures listed below, as necessary and appropriate, in the order listed below:

1. Eliminate federal prisoners (also an Interim Reduction measure)

   The jail currently holds two-three federal women daily. In the event a Level I emergency occurs in the women's population and women federal prisoners still remain in the facility, this measure would call for their elimination from the jail. This can be arranged through the U.S. Marshal's Office and is consistent with King County's agreement with the U.S. Marshal. The agreement provides for the removal of federal prisoners under crowded jail conditions.

2. Schedule additional transfers of prisoners to the Department of Corrections (also an Interim Reduction measure)

   There is currently one "chain" or transfer of state prisoners via the Department of Corrections van to state facilities. Adding one or more chains per week would reduce the number of prisoners waiting to be transferred. This measure affects the state prisoner population. Most of these inmates are housed in the Tower.

3. Limit time of "state prisoners" returned to jail for court hearings (also an Interim Reduction measure)

   Prisoners serving time in a state facility are often returned to the jail to be tried on other charges, to testify in other prisoners' cases, or to appear at other hearings, such as restitution hearings. This measure would strictly limit the time such a prisoner may spend in the jail prior to the hearing and require a prompt return to the state facility following the hearing. Standards may be developed by type of hearing.

4. Accelerate the classification of all prisoners (also an Interim Reduction measure)

   Delays in classification can produce crowding in "receiving" areas (the south dorms) and unused beds in other parts of the facilities. This is particularly likely to occur if peak population levels are accompanied by peaks in new bookings. Accelerated classification within one day, rather than the current practice of delaying classifications for 48-72 hours, would ensure that all available beds are fully utilized. This measure would not reduce systemwide population, but would effect reductions in "receiving" areas and in the residential facilities to the extent that inmates are transferred to NRF or work release sooner than they would be otherwise.

5. Eliminate parole holds without local charges

   The jail holds approximately nine to 20 prisoners each day waiting parole hearings who have no local charges pending. This measure would eliminate the detention of these prisoners in the jail. Space could still be provided for the actual hearings which are held locally. The measure requires that the state provide transportation to the jail on the day of the hearing for in-custody parolees and provide transportation back to a state facility if the hearing results in a revocation. This measure would effect reductions in the Tower since virtually all parole prisoners are housed there.

6. Schedule all DWI sentences of four days or less to NRF (also an Interim Reduction measure)

   Sixteen beds at the NRF facility are currently used for the direct-report DWI sentence program. Offenders sentenced to one or two days report directly to NRF and are released from NRF. The program operates three-four days per week. Persons with longer sentences are booked into the main jail, are classified, and, if eligible, are transferred to NRF and returned to the main jail for release. This measure would expand the sentence length for the program to four days and require that these offenders report to NRF as part of the DWI sentence program. The result would be better utilization of NRF beds and the avoidance of overnight or longer stays in the Tower or West Wing pending transfer and/or release.

7. Schedule all DWI sentences to NRF

Virtually all offenders sentenced on DWI charges qualify for housing at NRF under the current classification system. Many offenders serve sentences longer than one-four days and some are not transferred to NRF. This measure would direct that all DWI sentences be scheduled for NRF, and that offenders report directly. This would eliminate all DWI-sentenced offenders from the main residential facilities, with the possible exception of offenders with extensive and serious criminal histories or offenders who are disciplinary problems at NRF.

8. Schedule all out-of-custody sentences

This measure would direct that all persons sentenced out-of-custody report to the jail for a classification interview and a report date to serve the sentence. Sentences may be served all at once, or intermittent reporting could be arranged. The appropriate housing assignment would be predetermined, which would avoid a two-three day stay in the Tower's "receiving" areas.

9. Seek moratorium on the issuance of all failure-to-appear and failure-to-pay fine warrants for all nonviolent traffic offenses, except DWI

This measure would involve a moratorium of failure-to-appear and failure-to-pay fine warrants. Courts would have to pursue alternative methods to encourage an appearance by these offenders and to collect overdue payments.

Step 3: Level II Emergency Reduction Plan

When the combined population of the Tower and West Wing residential areas reaches 1367 for three consecutive days, or the female residential population reaches 189 for three consecutive days, the Department of Adult Detention Director will immediately notify the County Executive and the independent criminal justice agencies of the population problem and how soon the emergency population lid is likely to be reached. The Director will request the Executive to invoke the emergency reduction plan. The Executive would then convene a panel to select and seek the implementation of emergency population reduction measures to maintain the jail population at a level no higher than the emergency lid of 1405 for men and 203 for women. The panel will be composed of the Executive, the Department of Adult Detention Director, and a representative from each of the following: the Prosecuting Attorney's office, the Seattle City Attorney's office, the City Attorney's office of a suburban municipality, the Seattle Police Department, the State Department of Corrections, the King County Police Department, the Jail Advisory Committee, and the Presiding Judge of the Superior Court. The staff support for this panel will be provided by the Department of Adult Detention.

When the panel is convened, the Department of Adult Detention will provide an analysis of the population increases which would be achieved if the various emergency measures were implemented. The panel will then seek implementation of the emergency reduction plan in view of the nature of the population increase and the mix of types of prisoners in the crowded areas.

If the residential population of the Tower and the West Wing is below 1367, but the Director determines that there is an imminent threat to the safety and security of the jail due to crowding, then the Director will notify the County Executive of the nature of the problem and request that the Level II emergency reduction plan be implemented in the same manner as described above.

Level II Emergency Crowding Reduction Plan

Depending on the mix of prisoner types in crowded areas and the reduction strategies which have already been implemented, one or all of the following would be implemented as Level II reduction measures.. Based on the recommendations of the emergency crowding reduction panel and the Department of Adult Detention Director, the County Executive, with the assistance of the panel, would seek to implement the emergency reduction measures listed below as necessary and appropriate to effectively maintain population at or below the emergency level or lid.

An alternative to the implementation of the population reduction measures listed below is the implementation of emergency expansion of capacity either through the exchange of prisoners, if this could be arranged, and if it were to be effective, or the leasing of beds from any other correctional facility with available and appropriate capacity. Capacity expansion options could be implemented at any time as part of the Level II plan.

1. Implement emergency PR release standards

   Administrative PR release is currently available to some newly booked misdemeanant and felony detainees who meet criteria for release based on the likelihood of appearing for court and risk to public safety. Separate release criteria are set by the Seattle Municipal Court and the County District Courts. As an emergency measure, the release criteria could be greatly expanded to release detainees who would not otherwise be eligible. This emergency reduction measure would still allow for the booking process to proceed, but jail population reductions would occur as fewer offenders are detained after the booking has been completed.

2. Implement emergency supervised release standards

   The Department of Adult Detention's supervised release program is an intensive community supervision program for detainees who fail to obtain a personal recognizance release or who cannot post bail or bond following arraignment. An attempt is made to target detainees who would likely remain in jail for the entire pretrial period. The case-load for this program consists of the lower risk felony detainees. Court approval is necessary to place persons on the program. As an emergency measure, the criteria for release could be greatly expanded to place higher risk offenders than are currently allowed to participate. Supervision ratios could be increased for detainees released under emergency conditions. This measure would target pretrial felony detainees. Depending on the mix of prisoner types at the time the emergency occurs, this measure provides an alternative to reduction measures which target low-risk misdemeanants.

3. Seek emergency sentence reductions

a. Nonviolent misdemeanant sentences
b. Probation and community supervision noncompliance sentences
c. All other misdemeanant sentences
d. Indeterminate felony sentences
e. All other felony sentences as law permits

In an emergency, sentences could be reduced up to the statutory good-time limit or beyond. Reductions could target any number of the listed groups. The entire range of possible sentence reduction groups are listed so that options are available that could produce needed reductions in the main residential facilities. A larger percentage of sentenced misdemeanants (38%) are located at NRF and many (21%) are in work release. Measures which target inmates in these facilities would not affect crowding in the main residential facilities. The impact of sentence reductions would depend on the types of sentences that were reduced and the mix of prisoner types in the main residential facilities at the time emergency conditions are reached.

4. Restrict new bookings

a. Out-of-county misdemeanant bookings
b. Probation and community supervision noncompliance bookings
c. Nonviolent misdemeanor bookings with warrant/bail less than $250
d. Nonviolent misdemeanor bookings with warrant/bail less than $500
e. Crimes against public decency bookings
f. All other nonviolent misdemeanant bookings

As an emergency measure, new bookings could be restricted. This measure could target any one or all of the listed groups. Arrestees would be cited and released by the arresting officer and given a court appearance date. The impact of this measure would depend on the mix of prisoner types in the main residential facilities at the time emergency conditions are reached.

CHAPTER VII

CONCLUSIONS

CONCLUSION

This report has presented an interim plan for managing jail populations that exceed projected and budgeted levels. Every effort has been made to develop options that will ensure the maintenance of a safe, secure, and humane facility.

This report includes a number of alternative scenarios for housing prisoner populations that exceed capacity, a listing of interim population reduction measures, and a two-level emergency population management plan. The different options are tied to ADP levels and listed in priority order. The plans and recommendations outlined in this report represent an effort to responsibly and realistically provide decision-makers with options that balance the often competing and countervailing pressures of the fiscal, political, and operational realities associated with such a chronic and difficult problem.

The Department submits this plan with the expectation that public officials and the community alike will concur with the staff, officers, and management's contention that the current level of crowding (assuming it is not a short-term peak) is unacceptable and is inconsistent with the Department's mission statement and the County's obligation to operate a safe, secure and humane correctional facility. Fundamental goals of the plan are:

- To maintain local officials' control of the criminal justice system and not forfeit the community's right to govern this diverse system in a manner that is consistent with the dictates of sound public safety policy and correctional administration; and

- To develop a plan that contributes to and is consistent with the development of a rational long-term solution to local jail crowding.

The Department anticipates that upon the completion of a full review of the proposals contained in the report, a direction will be set and budgetary resources allocated for managing interim jail population growth until long-term solutions are implemented.

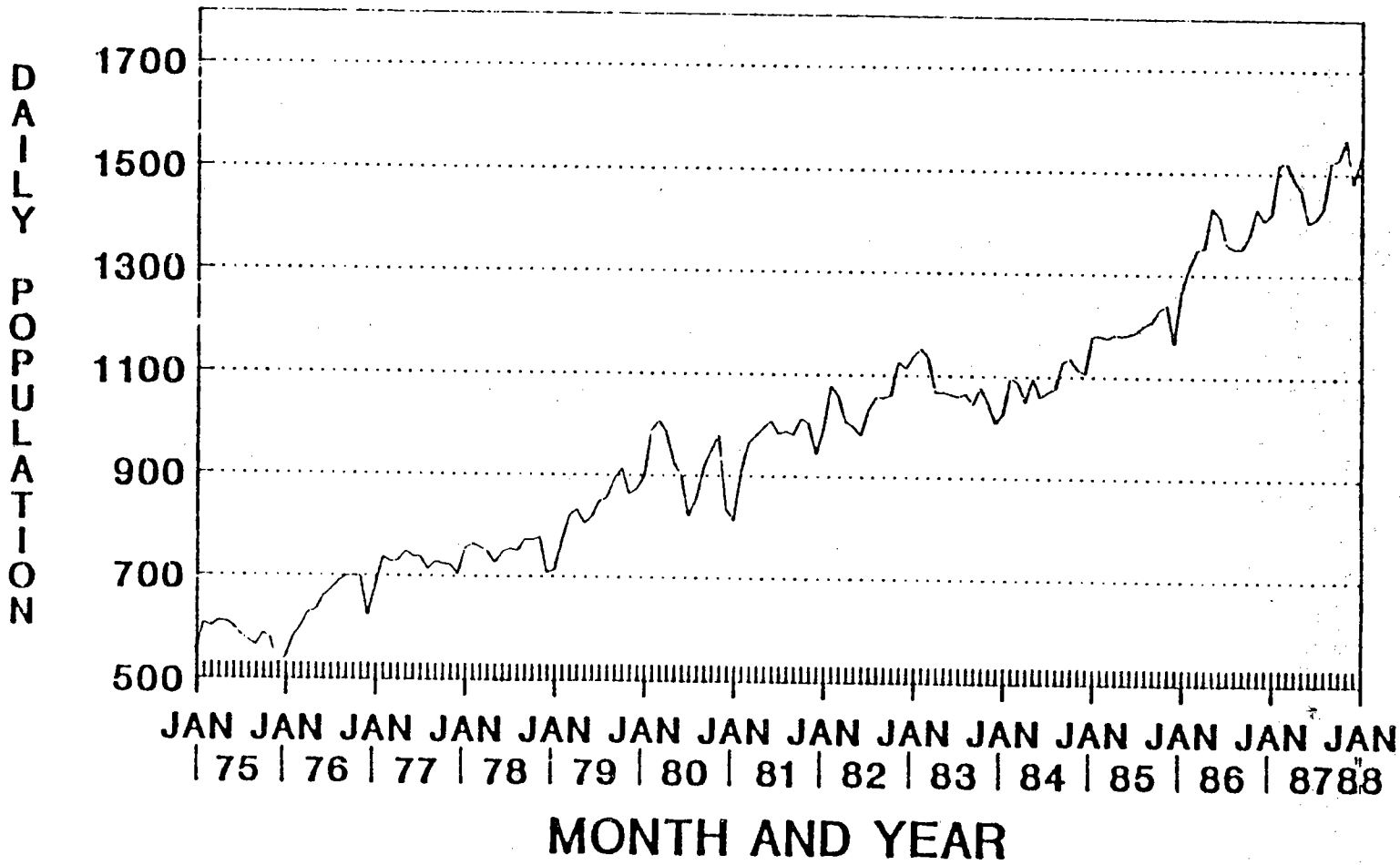
ATTACHMENTS

Attachment 1: King County Jail ADP by Month January 1975 - 1988

This table demonstrates the growth in ADP over a 13-year period. Starting in January 1975, the average daily population by month increased from 556 to the January 1988 ADP of 1535. The high and low peaks show both seasonal fluctuations and impacts associated with new legislation (SRA, DWI, DV, etc.), as well as changes in policy such as the removal of 80 federal prisoners in the spring of 1980 and the efforts of the Holmquist Committees in 1981 and 1987.

KING COUNTY JAIL

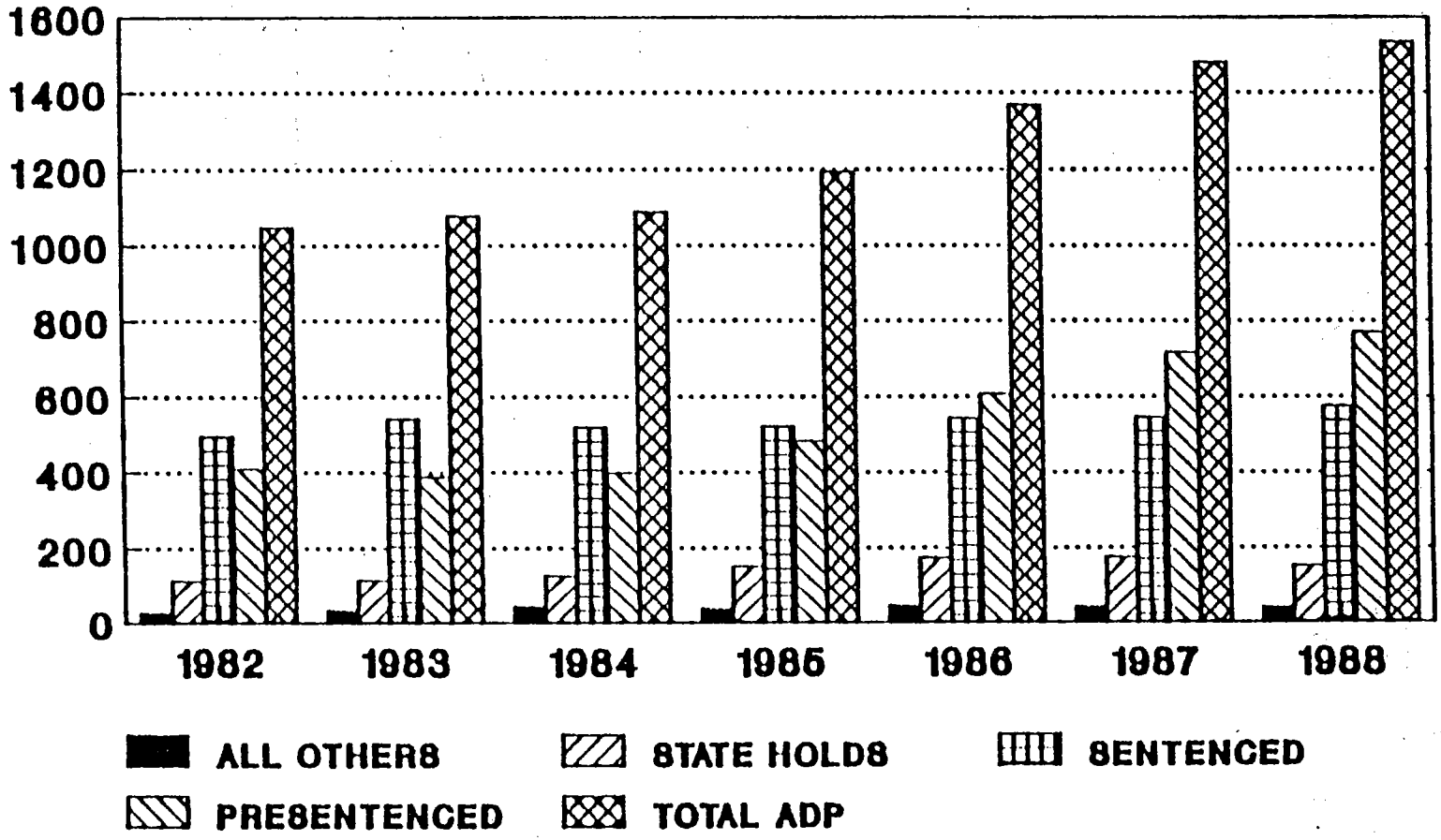
ADP BY MONTH JANUARY 75 - JANUARY 88



Attachment 2: King County Jail ADP by Status - 1982 Through 1988

This table highlights the contribution of prisoner status groups to total ADP for the years 1982-1988. The most apparent trends are the increase in the presentenced population and the relative size of sentenced and presentenced populations. The total presentenced population has grown steadily since 1984 while the sentenced, State holds, and all other status groups have remained relatively stable.

KING COUNTY JAIL
APD BY STATUS - 1982 THRU 1988



1988 BASED ON JANUARY DATA

Attachment 3: King County Jail Presentenced Breakdown

This table compares presentence misdemeanants and presentence felons and how each status has contributed to the overall growth of the total presentenced prisoner population. While both status groups' ADP has grown steadily since 1984, the presentenced felon group has disproportionately contributed to the growth in the total presentence status as well as the total jail population.

King County Correctional Facility Population/Capacity History

Year	ADP	% Change From Previous Year	Beds	% Utilization	% Felon	% Misd.	Presentence % of Total Population	Sentenced % of Total Population
1980	922	(+10.42)	1084	85.0%	72.7%	27.3%	N/A	N/A
1981	966	(+ 4.78)	1241	77.8	67.9	32.1	N/A	N/A
1982	1047	(+ 8.38)	1253	83.6	67.5	32.5	39.2%	47.3%
1983	1077	(+ 2.86)	1263	85.3	67.3	32.7	36.0	50.3
1984	1088	(+ 1.02)	1263	86.1	67.8	32.2	36.7	47.7
1985	1194	(+ 9.74)	1288	92.7	64.0	36.0	40.4	43.5
1986	1368	(+14.57)	1381	99.0	61.0	39.0	44.4	39.7
1987	1481	(+ 8.26)	1490	99.4	64.8	35.2	48.4	36.8
1988 (YTD)	1630	(+10.06)	1498	108.8	65.1	34.9	50.2	37.3

Attachment 5: King County Jail Average Daily Population by Status by Jail Facility - January 1988

This table outlines how the different status groups are distributed (housed) in the different units. Points of interest include:

- 70.4% of the Tower (severe crowding) populations are felons
- Only 10.8% of the Tower felons are sentenced
- 91.8% of the NRF populations are misdemeanants
- Of the 295 misdemeanants in the Tower, most are unclassified and assigned to receiving dorms. The remaining misdemeanants in the Tower are generally prisoners requiring medical/psych staff services or are isolated due to disciplinary problems or special needs (diet, protective custody, etc.).

King County Jail
Average Daily Population by Status by Jail Facility
January 1988

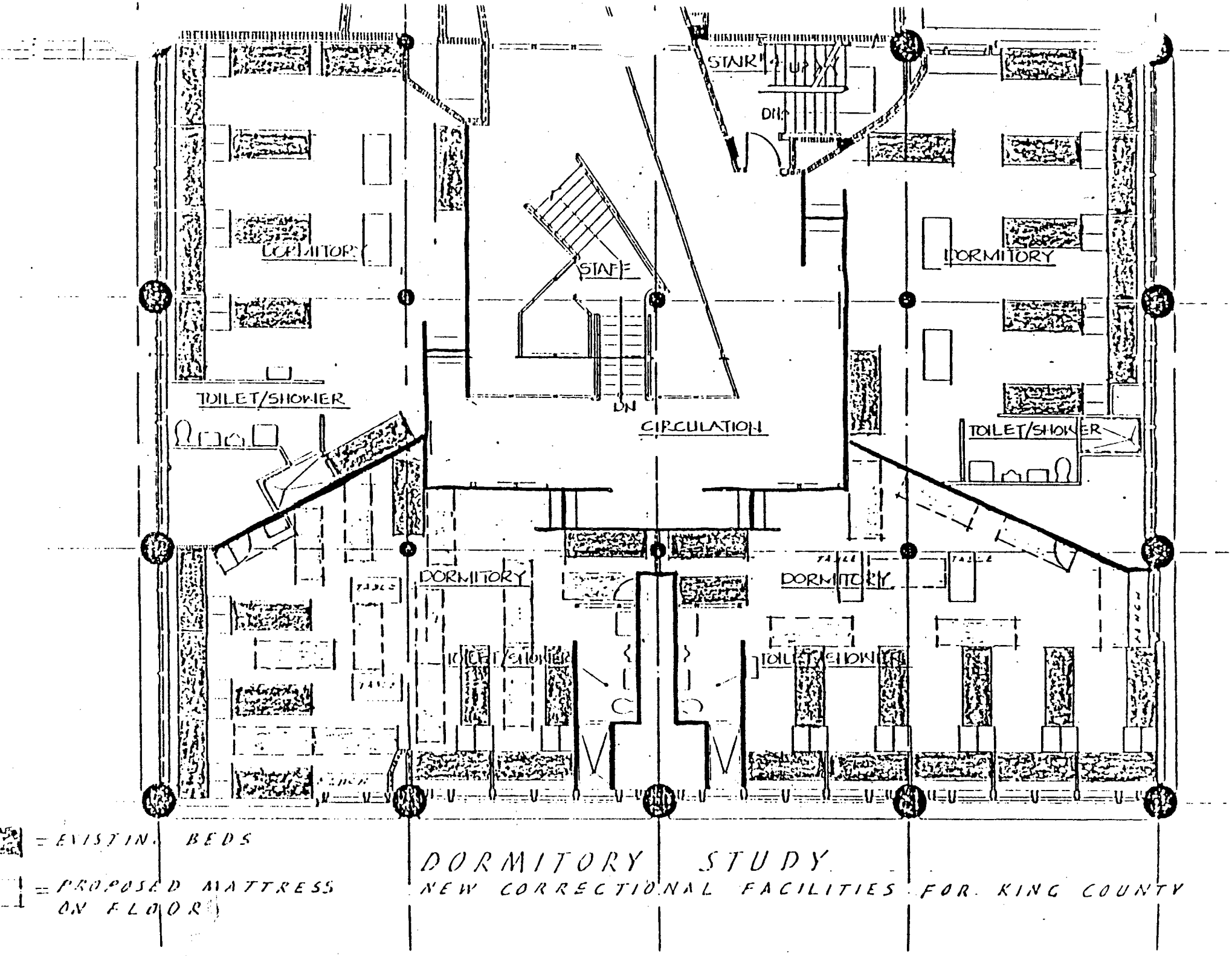
		TOWER		WER BUILDING		NRF	
		Felons	Misdemeanants	Felons	Misdemeanants	Felons	Misdemeanants
Pre-Sentence	ADP	428	166	115	18	-	44
	% of Unit	43.0%	16.7%	32.8%	5.1%		25.9%
Pre-Hearing Noncompliance/ Probation	ADP	30	-	7	-	1	
	% of Unit	3.0%		1.9%		.6%	
Sentenced	ADP	108	119	45	60	13	108
	% of Unit	10.8%	11.9%	1.3%	17.1%	7.6%	63.5%
State Holds	ADP	115	-	1	-	-	-
	% of Unit	11.5%		.3%		0.0%	
All Other	ADP	20	10	3	2	n/a	4
	% of Unit	2.0%	1.0%	.9%	.6%		2.4%
Total	ADP	701	295	271	80	14	156
	% of Unit	70.4%	29.6%	77.2%	22.8%	8.2%	91.8%
Unit ADP		996		351		170	
% of Total ADP in Each Unit		64.9%		22.9%		11.1%	

Total ADP 1535

Remainder of total ADP not appearing in table above are housed in contract Work Release beds in the community.

Attachment 6: Illustration - Dormitory Study

This table is a scale drawing of the south wing of the 8th floor and is representative of floors 9 and 10 as well. All four dormitories currently have more beds than called for in the original facility design. One dorm shows the recommended placement of mattresses on the floor (six) bringing the capacity up to 18 or 8 over designed capacity. Another dorm shows the addition of 13 mattresses, bringing the total bed count up to 25 or 15 over designed capacity. The 25 bed count effectively precludes use of the tables in the dorm, restricts most movement, and makes access to the shower and toilet more difficult than is within reason.



DORMITORY STUDY
NEW CORRECTIONAL FACILITIES FOR KING COUNTY

APPENDIX 19

KING COUNTY CORRECTIONAL FACILITY

POPULATION LID MANAGEMENT STUDY

Purpose

The purpose of this memorandum is to present the results of a snapshot analysis of the King County Correctional Facility residential population. The study was requested by county officials for the purpose of assessing the feasibility of several options designed to maintain the prisoner population within established emergency population levels. The study was designed to identify the type and number of prisoners that may have to be released early or restricted from the facility to comply with the Department of Adult Detention's 1989 Population Management Plan. The primary objective of this exercise was to provide decision makers with timely and detailed data so that King County may adopt an action plan for managing the prisoner population prior to reaching emergency levels. While staff have estimated lid levels likely will not be reached until fourth quarter 1989, the population has regularly grown by over one-hundred prisoners in a 24 hour period - making adoption of a plan an immediate and urgent matter.

Background/Problem Statement

In the Spring of 1988, DAD developed an "interim" population management plan. The intent of this plan was to define an operational capacity and to outline the measures which, pending the development of a new correctional facility, might be potentially necessary to deal with projected inmate population levels, should operational capacity be exceeded.

The prisoner population has increased from an average daily population (ADP) of 726 in 1977 when new jail planning first began, to 1195 in 1985. The steady increase continued in 1987 and 1988, with ADP's of 1481 and 1665 respectively. The department's 1989 budgeted ADP is 1755. As of March 24, 1989, the year-to-date ADP was already 1755 with historically high peak periods still ahead.

The most pressing challenge associated with the growing prisoner population is how to manage the residential population. The twenty-four hour residential population is defined as prisoners housed in the main correctional facility. It does <u>not</u> include prisoners assigned in the intake area (ITR), Work Release, or satellite programs such as The North Rehabilitation Facility (NRF), contract beds, or electronic home detention.

In 1988 the residential population made up approximately 76 percent of the total system population. While the satellite programs generally have had a percentage of their beds under utilized, the correctional facility's residential housing areas have been crowded since the new facility opened in early 1986. The majority of prisoners booked into custody, either do not meet the eligibility criteria for satellite housing or are not classified

before they are released. (Approximately 60% of all prisoners booked into the correctional facility are released before the 48-to-72-hour classification delay elapses.)

An analysis performed for the 1987 "Holmquist" Jail Committee noted that the residential population was made up of approximately 75 percent felons. In the last five years, the largest and fastest growing sub-group of the prisoner population has been the pre-sentence felons. This group has increased from an ADP of 278 in 1983 (25.8% of total population) to 575 (34.6%) in 1988.

The impact this group has on the crowding problem is obvious and significant in that presentence felons generally are not eligible for satellite housing. This is true for at least two reasons. First, their assignment to non-residential housing would require additional and costly transportation to and from court, and secondly, most of these prisoners will not be classified for at least 72 hours. Even then, their charge and criminal history will most often exempt them from a "community supervision" (satellite housing) classification as they may represent a security risk or pose a threat to the physical safety and well being of the community. Therefore, the county may assume that while some of the anticipated prisoner population growth may be absorbed in the under-utilized satellite beds, the majority of the increasing population will have to continue to be housed in already over-taxed residential space.

Assuming that these patterns will remain constant and pursuant to council adopted "jail standards", (specifically WAC 289-15-220, Overcrowding), DAD has proposed a maximum capacity for the correctional facility that reflects the number of prisoners who may be housed within the facility in a safe and responsible fashion. The maximum capacity or "Emergency Population Lids" and estimated 1989 total system population (at lid levels) are noted below.

TABLE 1

KING COUNTY CORRECTIONAL FACILITY

RESIDENTIAL POPULATION MANAGEMENT PLAN

Residential Emergency Lid Population:		
Men	1468	
Women	176	
Subtotal		1644
Additional Projected Populations:		
Work Release	160	
Contract Work Release	30	
Electronic Home Detention	25	
NRF	200	
ITR	35	
McNeil Island	15	
Subtotal		465
Estimated Total System Population:		2109

The State Department of Corrections has indicated that they will likely discontinue the rent-a-cell program within the next twelve to eighteen months due to their own crowding problem. Consequently, to avoid exceeding the residential emergency lid levels, King County decision makers must adopt policies that will either divert the type of prisoners that are currently housed in residential beds, or develop a consensus on what type of prisoners should be released early.

Study Methodology

The one-day snapshot study was designed to develop sets of data that would identify several characteristics of the residential population, and also simulate the status, order and number of inmates that would have to be released early (or denied booking) to maintain the population within the emergency lid levels. The study is based upon WAC 289-15-220 (4)(F), which states "each Department of Corrections or chief law enforcement officer shall establish, with the cooperation of the Presiding Judge of the Superior Court, a procedure for release of prisoners before the end of their term when overcrowding occurs as herein defined", (Title 289, WAC - page 27). Reference was also made to an early release program in Multonomah County.

A Federal Court order has given the Multnomah Sheriff (jail) authority to release inmates when the population reaches 90% of the rated design capacity. (The King County Correctional Facility's rated design capacity is

1247, 90% = 1122). The order also includes a "jail release matrix" which specifies the priority and order of inmate releases. The release schedule categorizes offenses by seriousness. The categories apply equally to sentenced as well as unsentenced offenders. In the event of multiple charges pending against a single inmate, the most serious charge determines the inmates category for release. Prisoners in each category are then scored and prioritized for release based on variables such as companion charges, custody status and criminal history (Attachment 1). Generally, prisoners charged with DWI or housed in Administrative Segregation, disciplinary or psychiatric holding areas are exempt from the matrix release process. Community supervision is provided for both sentenced and unsentenced prisoners while out of custody.

Pursuant to WAC 289-15-220 and Multnomah County's Matrix Release Program, DAD staff developed a draft King County "Population Lid Management Release Schedule." This release schedule is based in part on District Court Presiding Judge Darrell E. Phillipson's input on King county misdemeanor offenses, and also on Sentencing Reform Act crimes included within each seriousness level.(Title 9, RCW Chapter 9.94A.320 - Pages 93-95; Attachment 2). The draft release schedule outlined below was developed for the purpose of this study only and is not intended to represent King County's final rank ordering of offenses or official position on population management. This decision will ultimately be made by policy makers.

The draft King County release schedule sorts offenses into fourteen classes based on seriousness <u>and</u> a proposed prioritization of prisoner releases. Each class is rank ordered by points, with those scoring lowest scheduled for release first. As with the Multnomah process, prisoners with multiple charges are assigned a class based on the most serious charge holding them in custody. (All offenses listed on the bail table of 2/8/89 were ranked and assigned a class.) The lid management release schedule is as follows:

TABLE 2

KING COUNTY CORRECTIONAL FACILITY RESIDENTIAL POPULATION

LID MANAGEMENT RELEASE SCHEDULE

Class	Description	Rank
I	Pure state holds (PHS, PHR, WRS, WRR)	5
II	Other county holds (misdemeanant only)	10
III	Misdemeanor traffic offenses (non-alcohol related)	15
IV	Non violent criminal misdemeanor offenses	20
V	Alcohol related misdemeanor traffic offenses	25
VI	All other misdemeanor offenses (not listed on the bail table)	27
VII	Superior Court probation and community service violators	28
VIII	Violent criminal misdemeanor offenses	30
IX	Miscellaneous felons (investigation bookings, felonies not listed on SRA table 2, 9.94A.320)	35
X	SRA Table 2 Felons: Levels I & II	40
XI	SRA Table 2 Felons: Levels III & IV	45
XII	SRA Table 2 Felons: Levels V & VI	50
XIII	SRA Table 2 Felons: Levels VII & VIII	55
XIV	SRA Table 2 Felons: Levels IX & above	60

In addition to rank ordering offenses by seriousness, staff developed a draft matrix release schedule that also factors in "jurisdictional authority" and charge status. That is to say that prisoners who are the responsibility of the state or other counties are scheduled for release prior to county or contracting city prisoners. In addition, prisoners who are serving jail sentences (SJS) are scheduled for release prior to those who are charged awaiting trial (CAT) for each category/class. King County's "Matrix Release Schedule" is based then on charge seriousness, charge status and jurisdictional authority. Due to time constraints, variables such as companion charges, criminal history, and jail location were not included. The King County draft matrix release schedule is as follows:

TABLE 3

KING COUNTY CORRECTIONAL FACILITY DRAFT

MATRIX RELEASE SCHEDULE

	Category/Class		Rank
1.	Pure state holds		5
2.	Other county misdemeanant holds		10
3.	King County District Court & non-contracting city	SJS	15
4.	" " " " " " "	CAT	15
5.	" " " " " " "	SJS	20
6.	" " " " " " "	CAT	20
7.	" " " " " " "	SJS	25
8.	" " " " " " "	CAT	25
9.	" " " " " " "	SJS	27
10.	" " " " " " "	CAT	27
11.	Superior Court Probation & Community Service Violators	SJS	28
12.	" " " " " " "	PRD	28
13.	SMC/Contracting City Municipal Court	SJS	15
14.	" " " " "	CAT	15
15.	" " " " "	SJS	20
16.	" " " " "	CAT	20
17.	" " " " "	SJS	25
18.	" " " " "	CAT	25
19.	" " " " "	SJS	27
20.	" " " " "	CAT	27
21.	King County District Court & Non Contracting City	SJS	30
22.	" " " " " " " "	CAT	30
23.	SMC/Contracting City Municipal Courts	SJS	30
24.	" " " " "	CAT	30
25.	Investigation Felons/Misc. Felons not listed on SRA table		35
26.	SRA Table 2 Felons: Level I & II		40
27.	" " " " Level III & IV		45
28.	" " " " Level V & VI		50
29.	" " " " Level VII & VIII		55
30.	" " " " Level IX & above		60

In addition to the ranking of offenses and the prioritization of prisoner releases, staff reviewed and sorted the population of March 9, 1989 by charge status. Based on the percentage each status made up of the residential population, staff then estimated the number of prisoners at lid levels for each status. (Attachment 3)

The results of the snapshot analysis are outlined in the following section of this report.

Results

The snapshot analysis examined the prisoner population at 16:38 hours Thursday, March 9, 1989. This date was picked at random and based upon previous analysis and other available data, appears to be representative of a typical day's prisoner population.

The total system population was 1795, with men totalling 1631 (90.9%) and women 164 (9.1%). The residential population of 1394 made up nearly 78 percent of the total system population. As noted below, felons represented approximately 71 percent of the residential population and misdemeanants 29 percent, while men contributed slightly over 90 percent.

As noted on Attachment 3, 65 % of the male residential population had a charge status of CAT - charged awaiting trial. The other ten statuses made up less than 3% each of the total residential population.

The women's population by status paralleled that of the men, with the CAT and SJS statuses making up approximately 85% of the women's residential population.

TABLE 4

King County Correctional Facility

Residential Population 3-9-89

	Men	(%)	Women	(%)	Total	(%)
Felons	895	(64.2%)	90	(6.4%)	985	(70.6%)
Misdemeanants	369	(26.5%)	40	(2.9%)	409	(29.4%)
Total Residential Population	1264	(90.7%)	130	(9.3%)	1394	(100%)

Prisoners Ranked Less Than 30

Four hundred twenty (420) residential prisoners had rankings of less than 30. (i.e. rankings less than those assigned to violent misdemeanor offenses.) This group included 52 women and 369 men.

In addition, the "less than 30 group" had 30 pure state holds, 4 other county misdemeanor holds, and 80 Superior Court Probation and Community Service violators (technical violators), 74 King County District Court (KCDC) prisoners and 232 Seattle Municipal Court (SMC) and contracting city prisoners. The KCDC group had 32 serving jail sentences (SJS) and 42 charged awaiting trial (CAT), while the SMC group had 111 SJS and 121 CATs.

Of the 420 residential prisoners with rankings "less than 30", 55 were assigned to psychiatric, administrative segregation or disciplinary housing areas. Another 24 were in custody on DWI or alcohol related traffic offenses. Assuming King County might also elect to make these types of prisoners ineligible for early release, a total of 341 prisoners with rankings of less than 30 were in the residential population on 3-9-89.

Pure State Holds

For the purposes of this study, "pure state holds" has been defined as prisoners who are being held in custody on the following charges only:

PHS: Parole Hold Suspension
PHR: Parole Hold Revocation
WRS: Work Release Suspension
WRR: Work Release Revocation

These prisoners do not have any other open felony or misdemeanant charges. Following disposition of their case, they will be returned to state correctional facilities or supervision programs.

In addition to the charges noted above, other DAD statistical reports and charts have previously included charges such as probation holds (PRD) and Institutional Holds (INS) as "state holds" as well. Staff elected not to include these charges as "pure state holds" in the draft matrix release schedule, as these prisoners are in the King County Correctional Facility pursuant to Superior Court warrants/orders.

TABLE 5

KING COUNTY CORRECTIONAL FACILITY MODEL

MATRIX RELEASE SCHEDULE

	Category/Class	Rank	Men	Women	Total
1.	Pure state holds	5	27	3	30
2.	Other county misdemeanant holds	10	3	1	4
3.	King County District Court & non-contracting city SJS	15	3	-	3
4.	" " " " " " " CAT	15	5	-	5
5.	" " " " " " " SJS	20	12	4	16
6.	" " " " " " " CAT	20	25	4	29
7.	" " " " " " " SJS	25	9	1	10
8.	" " " " " " " CAT	25	4	1	5
9.	" " " " " " " SJS	27	3	-	3
10.	" " " " " " " CAT	27	3	-	3
11.	Superior Court Probation & Community Service Violators SJS	28	34	5	39
12.	" " " " " " " PRD	28	36	5	41
13.	SMC/Contracting City Municipal Court SJS	15	5	1	6
14.	" " " " " CAT	15	6	-	6
15.	" " " " " SJS	20	82	14	96
16.	" " " " " CAT	20	90	11	101
7.	" " " " " SJS	25	6	-	6
8.	" " " " " CAT	25	4	-	4
9.	" " " " " SJS	27	3	-	3
20.	" " " " " CAT	27	9	1	10
21.	King County District Court & Non Contracting City SJS	30	8	-	8
22.	" " " " " " " " CAT	30	12	1	13
23.	SMC/Contracting City Municipal Courts SJS	30	25	1	26
24.	" " " " " CAT	30	58	2	60
25.	Investigation Felons/Misc. Felons not listed on SRS table	35	84	11	95
26.	SRA Table 2 Felons: Level I & II	40	193	29	222
27.	" " " " Level III & IV	45	95	14	108
28.	" " " " Level V & VI	50	294	18	312
29.	" " " " Level VII & VIII	55	33	-	33
30.	" " " " Level IX & above	60	93	3	96
	TOTAL		1264	130	1394

The PRD prisoners are Superior Court probation holds (technical violators) who may be sorted as PRD (pending probation/noncompliance hearing), or SJS (serving a jail sentence).

The INS prisoners generally are in the correctional facility on "transport orders" associated with new King County felony charges. As the PRD and INS prisoners are in custody pursuant to King County Superior Court matters, staff elected to exclude these groups from the "state holds" category as applied to prioritized release to the state.

On the date of the snapshot analysis the PRD group of prisoners was as follows:

Pending hearing	-	41	(Men 36, Women 5)
Serving jail sentence	-	39	(Men 34, Women 5)
Total		80	

The INS prisoners totalled 29 men and 2 women.

Other County Holds (OCH)

For this study, staff counted OCH prisoners as those prisoners whose only charge holding was an other county misdemeanor. If the prisoner had other open misdemeanor or felony charges, the prisoner was assigned the ranking of the most serious charge on the release schedule. These OCH prisoners are in the correctional facility enroute to another county via the Intrastate Transport Compact. Four such prisoners (3 men) were in custody on the date of the snapshot.

Population Lid Projections

In addition to identifying the number and type of prisoners that would have to be released early to manage the population within the established lids, staff also calculated when the lid levels might be reached.

The "projections" on when and how often the male and female lids might be reached, are based simply on staff assumptions regarding variable prisoner population growth rates. To estimate the daily population for the balance of 1989, staff applied prisoner growth rates of 10%, 12% and 15% respectively to the actual prisoner count for each day of 1988.

While this process clearly is not intended to represent an empirical or complete model for estimating future prisoner populations, it does factor in actual recent historical and seasonal population trends. The prisoner population ADP for the last ten years is as follows:

TABLE 6
King County Correctional Facility
ADP and % Change
1979 - 1988

Year	ADP	% Change From Previous Year
1979	836	+ 10.6%
1980	922	+ 10.3%
1981	966	+ 4.8%
1982	1047	+ 8.4%
1983	1077	+ 2.9%
1984	1088	+ 1.0%
1985	1194	+ 9.7%
1986	1368	+ 14.6%
1987	1481	+ 8.3%
1988	1665	+ 12.4%

Historically, the prisoner population has fluctuated seasonally with prisoner counts being the lowest in the second quarter and highest during the fourth quarter when the highest peak days occur.

The results of the application of the variable prisoner population growth rates to 1988 actual daily population counts is outlined below.

1989 Population At 10% Growth Over 1988

The male lid of 1468 would not be reached. Women would first hit 176 on October 23rd. October would have eight days at/or above the lid, with November at 22 days and December one day.

1989 Population At 12% Growth Over 1988

The male lid would be reached one day only on December 8th. Women would reach the lid for one day in September (29th), 15 days in October, 26 days in November and one day in December.

1989 Population At 15% Growth Rate Over 1988

The male lid would be reached one day in November (14th) and five days in December. Women would hit their lid in early June (2 days), with only 3 additional days until 21 days in October, 26 in November and 2 days in December.

Note: While historical trend lines suggest women could reach lid levels as early as June 1989 with some regularity, actual 1989 year-to-date residential women counts indicate that at least in the short term the women's population may be stabilizing. February and March 1989 residential women counts are generally down from 1988 counts. February 1989 women averaged 6 fewer residential women daily from 1988, with March numbers showing corresponding decreases. If these 1989 first quarter figures hold for the year, the women's population should also avoid reaching its lid until well into 1990.

Conclusions

Jail population shows a pattern of continuous growth from 1975. The pattern appears to be continuing into 1989 as the ADP has increased from the 1988 figure of 1665 to the 1989 year-to-date ADP of 1755 (3/24/89). The department expects the ADP to increase even further once expected Fall and fourth quarter increases are factored in.

Presentence felons have increased dramatically since 1985, and now represent the single largest and fastest growing group of prisoners. The misdemeanant population shows steady increases for both presentence and sentences inmates, with presentence inmates showing the greatest gains. The combination of increases has produced a gradual increase in the total presentence population which now comprises 50% of the jail's population. This compares to 39.2% in 1982 and 36.7% in 1984. This type of shift has important implications for jail capacity usage and crowding, since presentence populations are not as likely to be housed in community and minimum security areas and facilities. The net result is increased pressures on the 24 hour residential population capacity. Local law enforcement efforts focusing on drug and gang related offenses likely will contribute even more to the residential crowding problem.

Application of variable growth rates to 1988 daily population counts suggest that the emergency population female lid levels may be reached anytime from early June to late October 1989. There appears to be a good chance that the male lid will not be reached until first quarter 1990. In short, if the prisoner population continues to grow between 9 and 12% annually, the county may anticipate reaching one or another lid level routinely from late 1989 on. With this in mind, the Department of Adult Detention has proposed a lid management plan that calls for releasing prisoners either by distributing them to the proper jurisdictional authority (state, other counties, or non-contracting cities) and/or releasing them early on a prioritized basis.

The proposed matrix release schedule was designed so that the prisoner population could be maintained within the lids by releasing prisoners in a

manner that minimizes the impact on public safety and criminal justice system operations. Prisoners from other jurisdictions, lower risk, and sentenced offenders are scheduled for release prior to local area presentence prisoners, who may represent physical threats to public safety.

Approximately 420 residential prisoners scored below the violent misdemeanor offender category. Seventy-nine of these prisoners were in custody on alcohol related misdemeanor offenses or assigned to psychiatric or disciplinary housing areas - making a total of 341 prisoners in the "less than 30" group eligible for a Multnomah County like release program.

With respect to the release of pure state holds or other county holds, decision makers should carefully consider the impact on existing operational programs such as the county/state bed exchange and intrastate transportation compact.

As the population continues to grow, there is no question that the correctional facility will reach the emergency population lids several years prior to the completion of a new facility. The department submits the population lid and matrix release schedule concepts with the expectation that public officials will concur that these measures are absolutely essential for the maintenance of a safe, secure and humane correctional facility.

Report prepared by:

Steve Thompson, Program Analyst
Department of Adult Detention
March 27, 1989

MULTNOMAH COUNTY SHERIFF'S OFFICE

CORRECTIONS BRANCH

POPULATION RELEASE SCORES

NAME: _____ CPMS _____ DATE _____

Highest Ranking Charge Score..... _____

Sentence Status: S B U

I. Companion Charges

Each Nonviolent Misd/Maj Tfc	( )	× 1	= _____
Each Nonviolent Felony	( )	× 2	= _____
Each Violent Misd	( )	× 3	= _____
Each Violent Felony	( )	× 5	= _____

II. Holding Charge Modifiers

FTA Warrants	( )	× 1	= _____
Violation of Release (Rev Recog)	( )	× 1	= _____
Probation Violation	( )	÷ 10	= _____

III. Custody Status

If Class Codes = A, D, U, or E	Add 10 (TOTAL)
If Class Code = Y, P, T, W	Add 40 EACH
If Class Code W/T with O	MINUS 40 POINTS FOR T ADD 20 POINTS FOR T & O
If Class Code G =	Add 30 POINTS

System Criminal History

	Arrests	Convictions
Violent Misd	× 1 =	× 3 =
Violent Fel	× 2 =	× 5 =
Probation Viol		× 3 =
Parole Viol	× 5 Each =	

V. Exceptionable Danger Hold: _____ If yes, State

Reason: _____

ATTACHMENT 2

Table 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

XIV Aggravated Murder 1 (RCW 10.95.020)

XIII Murder 1 (RCW 9A.32.030)

XII Murder 2 (RCW 9A.32.050)

XI Assault 1 (RCW 9A.36.010)

X Kidnapping 1 (RCW 9A.40.020)
Rape 1 (RCW 9A.44.040)
Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1))
Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 and 3 years junior (RCW 69.50.406)

IX Robbery 1 (RCW 9A.56.200)
Manslaughter 1 (RCW 9A.32.060)
Statutory Rape 1 (RCW 9A.44.070)
Employing, using, or permitting minor to engage in sexually explicit conduct for commercial use (RCW 9.68A.020)
Explosive devices prohibited (RCW 70.74.180)
Endangering life and property by explosives with threat to human being (RCW 70.74.270)
Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)

VIII Arson 1 (RCW 9A.48.020)
Rape 2 (RCW 9A.44.050)
Promoting Prostitution 1 (RCW 9A.88.070)
Selling heroin for profit (RCW 69.50.410)

VII Burglary 1 (RCW 9A.52.020)
Vehicular Homicide (RCW 46.61.520)
Introducing Contraband 1 (RCW 9A.76.140)
Statutory Rape 2 (RCW 9A.44.080)
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
Sending, bringing into the state, possessing, publishing, printing, etc., obscene matter involving minor engaged in sexually explicit conduct (RCW 9.68A.030)

VI

Bribery (RCW 9A.68.010)
Manslaughter 2 (RCW 9A.32.070)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Damaging building, etc., by explosion with no threat to human being (RCW 70.74.280(2))
Endangering life and property by explosives with no threat to human being (RCW 70.74.270)
Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
Incest 1 (RCW 9A.64.020(1))
Selling for profit (controlled or counterfeit) any controlled substance (except heroin) (RCW 69.50.410)
Manufacture, deliver, or possess with intent to deliver heroin or narcotics from Schedule I or II (RCW 69.50.401(a)(1)(i))

V

Rape 3 (RCW 9A.44.060)
Kidnapping 2 (RCW 9A.40.030)
Extortion 1 (RCW 9A.56.120)
Incest 2 (RCW 9A.64.020(2))
Perjury 1 (RCW 9A.72.020)
Rendering Criminal Assistance 1 (RCW 9A.76.070)

IV

Robbery 2 (RCW 9A.56.210)
Assault 2 (RCW 9A.36.020)
Escape 1 (RCW 9A.76.110)
Arson 2 (RCW 9A.48.030)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
Malicious Harassment (RCW 9A.36.080)
Wilful Failure to Return from Furlough (RCW 72.66.060)
Hit and Run -- Injury Accident (RCW 46.52.020(4))
Vehicular Assault (RCW 46.61.522)
Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana) (RCW 69.50.401(a)(1)(ii) through (iv))

III

Statutory Rape 3 (RCW 9A.44.090)
Extortion 2 (RCW 9A.56.130)
Unlawful Imprisonment (RCW 9A.40.040)
Assault 3 (RCW 9A.36.030)
Unlawful possession of firearm or pistol by felon (RCW 9.41.040)
Promoting Prostitution 2 (RCW 9A.88.080)
Introducing Contraband 2 (RCW 9A.76.150)
Communicating with a Minor for Immoral Purposes (RCW 9A.44.110)
Escape 2 (RCW 9A.76.120)
Perjury 2 (RCW 9A.72.030)
Intimidating a Public Servant (RCW 9A.76.180)
Tampering with a Witness (RCW 9A.72.120)
Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(a)(1)(ii))

II Malicious Mischief 1 (RCW 9A.48.070)
Possession of Stolen Property 1 (RCW 9A.56.150)
Theft 1 (RCW 9A.56.030)
Theft of Livestock (RCW 9A.56.080)
Welfare Fraud (RCW 74.08.331)
Burglary 2 (RCW 9A.52.030)
Possession of controlled substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.401(d))
Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.401(b))

I Theft 2 (RCW 9A.56.040)
Possession of Stolen Property 2 (RCW 9A.56.160)
Forgery (RCW 9A.60.020)
Auto Theft (Taking and Riding) (RCW 9A.56.070)
Vehicle Prowl 1 (RCW 9A.52.095)
Eluding a Police Vehicle (RCW 46.61.024)
Malicious Mischief 2 (RCW 9A.48.080)
Reckless Burning 1 (RCW 9A.48.040)
Unlawful Issuance of Bank Checks (RCW 9A.56.060)
False Verification for Welfare (RCW 74.08.055)
Forged prescription (RCW 69.41.020)
Possess controlled substance that is a narcotic from Schedule III, IV, or V or non-narcotic from Schedule I-V (RCW 69.50.401(d))

ATTACHMENT 3

KING COUNTY CORRECTIONAL FACILITY

RESIDENTIAL POPULATION BY STATUS

3-9-89

	Men			Women			
Status	# of Prisoners	% of Residential Population	Adjusted to Lid	# of Prisoners	% of Residential Population	Adjusted to Lid	Total at Lid
PHS	17	1.3	19	1	.8	1	20
PHR	-	-	-	1	.8	1	1
WRR	3	.2	3	-	-	-	3
WRS	5	.4	6	-	-	-	6
OCH	20	1.6	24	4	3.1	5	29
PRD	36	2.9	43	5	3.8	7	50
SJS	289*	22.9	336	36**	27.7	49	385
INV	23	1.8	26	5	3.8	7	33
SWR	9	.7	10	-	-	-	10
INS	29	2.3	34	2	1.5	3	37
CAT	821	65.0	954	75	57.7	102	1056
FGT	12	.9	13	1	.8	1	14
TOTAL	1264	100%	1468	130	100%	176	1644

* Includes 34 PRDs
** Includes 5 PRDs

King County
Department of Adult Detention
500 Fifth Avenue
Seattle, Washington 98104

APPENDIX 20

(206) 296-1268

October 18, 1988

TO: Tim Hill, King County Executive

FM: Steve Schwalb, Director

RE: Yesler Building Feasibility Study

Pursuant to your request, the Department has completed a preliminary analysis of the feasibility of adapting the 400 Yesler Building and/or the King County Administration Building into correctional space.

Unfortunately, our analysis concludes in part that there does not appear to be any practical intermediate capacity solution available in the downtown Seattle area. Further, the Children's Trust Foundation's lease financing proposal does not necessarily represent an advantageous financing option.

While these conclusions are disappointing given the current crowding problem, they do serve to support the supplemental budget request and the need to proceed promptly with our long-range plan as outlined in the Scope of Work document previously submitted to the Council.

I hope you find the attached report informative and useful. Please advise if you have questions or concerns.

SS:jkm
t:yesl5
Enclosure

FEASIBILITY STUDY
PROPOSED ADAPTIVE RE-USE

OF THE

YESLER BUILDING
400 YESLER WAY
SEATTLE, WASHINGTON 98104

AND OF THE

KING COUNTY ADMINISTRATION BUILDING
500 FOURTH AVENUE
SEATTLE, WASHINGTON 98104

OCTOBER 24, 1988

PREPARED BY:
KING COUNTY DEPARTMENT OF ADULT DETENTION

IN COOPERATION WITH:

King County Department of Executive Administration
Facilities Management Division - Project Management Section
and
King County Parks, Planning and Resources Department
Building and Land Development Division

Executive Summary

Introduction

In response to the Executive's request, the Department of Adult Detention has completed an analysis of the feasibility of entering into a public-private partnership to remodel the 400 Yesler Building for use as a correctional facility. The Department also considered other downtown Seattle sites including the King County Administration Building and the property adjacent to the existing correctional facility.

The Department focused its analysis on the feasibility of developing correctional space as an intermediate solution to the crowding problem, i.e., operational within 12-24 months. Each option was measured against decision criteria including program criteria, physical criteria, building code requirements, anticipated public response, construction and operation costs, and estimated project schedules. In addition, the Department examined the feasibility of utilizing the Children's Trust Foundation's lease financing proposal.

Conclusions

A. Yesler Building

The Department believes that it may be technically feasible to develop correctional space within the Yesler Building, but that it is not practical or advisable to do so. This assertion is based primarily on the fact that present building codes would limit occupancy by a jail to the bottom two floors. Variances might be difficult to obtain as the building is within the Pioneer Square Special Review District and this district's citizen board would have to approve any and all necessary alterations to the building's use or changes to the appearance.

In addition, the Yesler Building's floor plan adaptability is limited and may not be flexible enough to accommodate program's requirements such as courtrooms, laundry, medical, intake and other ancillary services that may be necessary.

B. Administration Building

The Department concludes that the Administration Building could be adapted to a correctional facility. It has an open floor plan, proper column spacing, expansion capabilities of all building systems (mechanical, electrical, plumbing, etc.) and may be able to achieve efficiencies in operations due to its proximity to the existing correctional facility and Courthouse (utilize existing intake, medical/dental, food, laundry, commissary and library services, etc.). Other benefits include more efficient and secure transportation of prisoners and supplies (food and laundry) between courts and jail locations and less public opposition.

Time estimates for renovating either building range from two to three years, effectively making both options long-term rather than intermediate.

C. Children's Trust Foundation

The Department does not believe that the lease proposal represents the most fiscally appropriate option available. With the exception of possibly reducing the County's debt for statutory debt limit purposes, there do not appear to be many other significant economic benefits associated with this funding alternative when examined within the context of an intermediate solution.

Recommendations

The Department recommends that King County eliminate the 400 Yesler Building from consideration as an option for additional correctional capacity and that the Administration Building be considered only with other long-term solutions as called for in the previously submitted "Scope of Work" for an additional correctional facility.

The Department also recommends that King County continue to explore the innovative Children's Trust Foundation's proposal as a funding option for long-term correctional construction projects.

Further, with respect to immediate and intermediate strategies for addressing the crowding problem, the Department recommends that the Work Release Program be relocated to the Courthouse by February 10, 1989.

Feasibility Study
Proposed Adaptive Re-Use of the
400 Yesler Building or the King County Administration Building
For Additional Correctional Capacity

Purpose

The purpose of this report is to present the Department of Adult Detention's assessment of the feasibility of developing additional correctional capacity in the downtown Seattle area as an intermediate solution to the current correctional facility crowding problem. More specifically, the Department's analysis focused on the following questions:

1. Would it be feasible for King County to re-adapt the 400 Yesler Building into a correctional facility?

2. Would it be feasible for King County to re-adapt the King County Administration Building into a correctional facility?

3. Are there other downtown sites that might be feasible as an intermediate solution to the crowding problem?

4. Would it be feasible to utilize the Children's Trust Foundation's lease proposal as a means of financing the development of additional correctional capacity?

Problem Statement

Nearly two years ago, the King County Executive issued an alert to the public and local government officials that jail crowding had reached levels which, if unabated, would tax the capacity of the jail facilities to meet their mandate to provide a safe, secure environment for staff and inmates. Formation of a high-level committee of criminal justice officials resulted in a series of recommendations designed to reduce or ameliorate the rate of growth long enough to allow decision-makers adequate time to formulate a more permanent solution to the correctional facility crowding problem. In addition to these reduction strategies, the Department has attempted to make better use of existing capacity as well as create additional space. In spite of these efforts, population levels have reached critical levels.

King County's new jail facilities, which opened in early 1986, were originally planned to accommodate projected King County jail population until the year 2000. The State set capacities for new jail construction, which in King County was 1225, and tied maximum levels of funding to those capacities.

Prior to and following the opening of the new facility, the correctional facility population has experienced continuous and rapid growth. The average daily population (ADP) more than doubled from 726 in 1977, when new

jail planning first began, to 1481 in 1987. As of October 11, 1988, the year-to-date ADP reached 1639. The Department's 1988 budget was based on a projected year-end ADP of 1566. It now appears that the 1988 ADP will be nearly 1666, as the daily count has routinely been in the high 1700's with peaks as high as 1832.

All credible evidence available indicates that this rapid increase will continue in the coming years. The local community's interest in public safety, as evidenced by state legislation including DWI, domestic violence, the Sentence Reform Act, and local ordinances directed at panhandling and alcohol abusers, demonstrates less tolerance for criminal behavior. Other initiatives including nearly 200 more King County-area police, efforts to reduce the backlog of drug cases in the state crime labs, and increased emphasis on enforcing drug laws and addressing gang-related offenses, indicates that, if anything, the prisoner population may grow at an even faster rate than previously projected.

The growth trend of the prisoner population has created serious operational and population management problems. The ability to continue to accommodate increased prisoner populations within existing facilities is extremely limited. The Department of Adult Detention prepared an interim population management plan in March which provided a series of recommendations that focused on alternatives for addressing excess prisoner populations on an interim basis. Among other things, the plan called for initiating the home detention program, expanding capacity at the North Rehabilitation Facility (NRF) and remodeling the west wing of the correctional facility to house minimum-security prisoners. All of these proposals have now been, or are about to be, implemented. In addition, the Department has submitted a supplemental budget request for funds to relocate the Work Release Program to remodeled space in the Courthouse. (Even with the approval of the Department's supplemental budget, the resulting correctional system capacity will only reduce the degree of crowding. With total system counts of 1800 and more, at least 150 prisoners will continue to sleep on the floor.)

Accordingly, the primary objective now of King County correctional policy and decision-makers is to plan to provide adequate and acceptable space and/or programs for the current <u>and</u> projected prisoner population levels. With respect to the long term, the Executive has submitted a Scope of Work to the County Council for the development of additional capacity to address the anticipated long-term population demands. As the population continues to grow and a long-term capacity solution is years away, it is clear that King County must develop an intermediate strategy for housing the increasing prisoner population in a safe and secure manner.

Recognizing this emergent need, the Children's Trust Foundation presented a proposal to King County to enter into a partnership for remodeling the 400 Yesler Building. The proposal called for the Foundation to purchase and renovate the building into a 450-bed minimum-security correctional facility, and then lease the space to King County. The proceeds would then go to the Foundation's efforts to combat child abuse and neglect.

Scope of Analysis

This study identifies the programmatic and physical criteria which will impact the adaptive reuse of the 400 Yesler Building and/or the Administration Building. (Note: Analysis of the "south block" property adjacent to the correctional facility was not considered, as staff concluded that this is a long-term option and should therefore be examined within the context of the development of a long-term capacity solution.)

In order to assess the feasibility of this proposal, the Department identified several decision criteria for the purpose of comparing the relative advantages of both options. The decision criteria and information herein are divided into the following six categories:

1. Program Criteria: Identifying how known and presumed DAD program requirements will impact the proposed project.

2. Physical Criteria: Identifying and evaluating the physical characteristics of the buildings which are directly interrelated with the proposed adaptive reuse.

3. Building Code Requirements: Identifying building features which will require modification by the applicable building codes due to the change in occupancy group from office space (B-2) to a correctional facility (I-3).

4. Community Response: Identifying and assessing potential community and tenant concerns as they pertain to the best perceived/most suitable use of these buildings.

5. Cost Estimates/Financing: Identifying cost considerations and feasibility of the lease proposal.

6. Time Estimates: Prognosis for development permit processing and other considerations that contribute to project schedule estimates.

Section I

Program Criteria

The most fundamental factors that need to be understood in correctional facility planning are the characteristics of the prisoner population which must be served. Detailed information about the population will help ensure that planning provides:

- Facilities with security levels consistent with population characteristics.
- An understanding of inmates' specific service and program requirements.

Another premise that must be acknowledged is that facility plans need to be flexible and anticipate probable future changes. Factors outside the County's control can have major impacts. Changes in state law, or public policy, significantly influence facility population levels and characteristics. Even though the new correctional facility was opened less than three years ago, actual experience has demonstrated how shifts in the number of work release, women, mentally ill, medical, and different legal statutes of prisoner populations have challenged the facility's ability to manage these groups effectively.

For the purpose of making relative comparisons between the Yesler and Administration Buildings, the Department has developed an operational scenario that is based on available historical population data and actual experience in the present facility.

Based on the premise that a new facility must be designed with security levels, service and program requirements that are consistent with the population characteristics, the Department believes any new facility must be designed to:

1. House both pre- and post-sentence inmates; and
2. Be flexible enough to accommodate shifts and growth in the population.

It is important to note that the crowding problem is essentially restricted to the "tower" (main jail) and that this crowding is not due to minimum security prisoners. The correctional space dedicated to sentenced minimum security prisoners (NRF, work release, home detention and the west wing) is not overcrowded. While there are minimum security prisoners waiting to be assigned to the west wing, the great majority of tower prisoners are not eligible or appropriate for alternative housing assignments. This is due primarily to the charges and criminal history/sophistication of most prisoners. In addition, prisoners are not classified for at least 48 hours and many are in custody less than three days, making it impractical to screen and/or transport to another program or location.

This population mix is not anticipated to change markedly in the intermediate term. Over the last seven years the presentence population has increasingly made up a higher proportion of the total population. In 1982 the presentence population represented 39.2% of the total, while the 1988 year-to-date presentence group now makes up 50.1%. Moreover, in the same period the presentence felon population, which is the single largest status of prisoners, has grown from 27.2% to 34.1% of the total prisoner population.

In short, these population characteristics clearly suggest that the proposed 450 minimum-security beds would go under-utilized unless presentence and/or medium-security prisoners were also located there and/or unless existing minimum-security facilities were consolidated, thus eliminating NRF. Accordingly, it is imperative that any new correctional facility design be flexible enough to accommodate shifts and growth in the population and house both presentence and sentenced prisoners. The implications associated with these requirements are significant and include issues such as providing space for medical, food and laundry services; transportation of prisoners to court, design configurations (medium security space, ITR operations, property room, etc.) and the resulting capacity estimates. These implications or program/operational requirements are noted in the following discussion of program and operational issues. Comments specific to each building are followed by the Department's assessment of which option is most practical or feasible.

1. Jail Population Demographics

A. Yesler Building

A multi-status facilty located in the Yesler Building will require space for a vehicular sally port, ITR, property room, full medical services, prisoner receiving, and program and ancillary service areas. When advised of these program/operational conditions, the building owners consultant architect (WFML) concurred with DAD staff that the estimated capacity would be approximately 250-300. (The initial 450 bed number was based on an operation without the ancillary support program space noted above and also assumed the population would be exclusively minimum security prisoners housed in dormitory style space.)

B. Administration Building

A multi-status facilty located in the Administration Building, due to its proximity to the present correctional facility, might be able to take advantage of the main jail ITR operation, prisoner receiving areas, medical/dental facilities, commissary, library and other program or service needs. Further, as outlined later in this report, the Administration Building's physical structure is much more adaptable in terms of accommodating shifts and growth in the population.

Advantage: Administration Building

2. Inmate Transportation

A. Yesler Building

Whereas the King County Administration Building, the King County Correctional Facility and the Courthouse rely on the skybridge for the transport of inmates, the Yesler Building has no physical connection between these closely interrelated structures. Therefore, inmates would be transported between these buildings on public streets, an alternative which was previously determined unacceptable for security reasons and which ultimately led to the construction of the skybridge. Transportation demands would require additional staff and vehicles.

B. Administration Building

Minor modifications to the existing skybridge link would allow for the expansion of jail functions into the Administration Building while maintaining a closed "sterile" environment. In addition, the Administration Building is also linked to the Courthouse and Public Safety Building via tunnels. The ability to efficiently and safely transport prisoners to court, to and from ITR, and full medical/dental services, without utilizing public streets, is a critically important operational benefit.

Advantage: Administration Building

3. Food Service

A. Yesler Building

Locating a correctional facility in the Yesler Building will necessitate some form of food service. The most practical solution appears to be the construction of a commercial grade kitchen. This option is compromised by restricted access by delivery trucks.

Another option is to provide a limited kitchen facility which would supplement food service from the existing correctional facility. In this scenario, food would be transported between buildings by truck, and then reheated in the limited kitchen facility prior to distribution to the inmates. Although this would decrease the initial capital investment, it does generate operational problems associated with the staffing required to transport meals, the additional vehicles required and the increased security/safety risks associated with transporting materials through an unsecured space, i.e., possible introduction of contraband items. The initial cost savings of this option could result in increased operational costs.

B. Administration Building

Locating several hundred prisoners in the Administration Building also requires an expansion of meal service. As with the Yesler Building, the

most practical option is the construction of a commercial grade kitchen within the building itself. The Administration Building also has restricted delivery access, but due to its proximity to the correctional facility via the skybridge, or Courthouse loading dock via the tunnel, this is less of a negative factor than presented by the Yesler Building. A commercial grade kitchen in the Administration Building could serve not only the inmates in that building, but could also be utilized to supplement food service within the existing correctional facility due to increases in inmate population or temporary equipment malfunctions.

Note: The current prisoner population already exceeds both design standards and the capacity for which the facility was designed. It therefore appears unlikely that the existing food services could realistically be increased to accommodate the additional load of approximately 25%. In addition, transportation of 100% of meal service via the skybridge does not appear to be a realistic solution to providing the required meal service due to the demands already on elevator service within the existing facility.

Advantage: Administration Building

4. Laundry Service

A. Yesler Building

Locating a correctional facility in the Yesler Building would necessitate the provision of laundry service. A full scale independent laundry facility within the building does not appear to be feasible due to space, plumbing and electrical system constraints. As with food service, the option of transporting materials between buildings is not a preferred alternative. The objective of developing additional capacity that can accommodate shifts or changes in the prisoner population makes dependence on the option of providing inmates with coin operated commercial equipment for personal use impractical.

B. Administration Building

Development of a full scale independent laundry service in the Administration Building is feasible and likely the most practical option. Expanding the laundry service within the existing correctional facility by adding a third shift may be possible but transportation of materials via the skybridge and elevators may present operational problems. As with food services, a laundry service in the Administration Building could supplement or back up the main jail operation due to increases in population or equipment malfunctions.

Advantage: Administration Building

5. Elevator Service

A. Yesler Building

The Yesler Bulding is currently served by two passenger elevators, which are adequate for office needs but may not be adequate for the demands of a correctional facility operation and population. Adding additional elevator service does not appear to be a practical solution.

B. Administration Building

The Administration Building is currently served by four passenger elevators, with two vacant hoistways provided for future increased service as required by either increased freight deliveries or by an increase in the size of the building, which was designed for vertical expansion.

Advantage: Administration Building

Summary
Program Criteria

Based on a review of the prisoner population and program criteria including secure and safe housing, transportation, food, medical and other operational concerns, it is clear that the Administration Building is the most feasible and practical option for adding correctional capacity.

However, the renovation of the Administration Building's top four floors for additional correctional space must be evaluated not only against the other criteria, but also with respect to the entire King County government long-term operations and programmatic plans. The option of utilizing the Administration Building requires the planned relocation of the various county departments occupying these top floors. Relocation of these departments will require a coordinated analysis involving an assessment of county-wide services, the procurement of additional space to accommodate displaced county staff, and the formulation of a relocation plan which minimizes disruption of services to county residents.

Section II

Physical Criteria

Physical criteria have been defined as inherent building characteristics which would affect the performance of the Yesler or Administration Buildings with respect to the proposed use as a multi-status correctional facility. Building code improvements are defined in a separate section.

1. Floor Plan

A. Yesler Building

Although the Yesler Building was originally designed and constructed for use as a jail, today's design standards and operational philosophies are considerably different from those by which the building was designed. The triangular shape of the building does not efficiently lend itself to the construction of individual inmate sleeping quarters, which would be located at the perimeter of the building. The remaining floor area would be comprised of a fire-rated corridor surrounding a utility core which includes the existing electrical closets, shower rooms and lavatory areas as well as storage areas and possibly laundry rooms - all incorporated into a triangular configuration. The net usable area for this proposed use appears to be less efficient than that of a rectangular building. In addition, the perimeter corridor configuration may create security problems for DAD staff by creating a closed loop which is not fully visible, i.e., it is easier to maintain visual access in a linear corridor versus an articulated corridor.

Another consideration, due to the need to accommodate presentence prisoners, is the possible incorporation of courtrooms in the Yesler Building. Due to the triangular shape of the building, and the location of structural columns, this is not a viable use for any portion of this building according to current county design standards.

B. Administration Building

The Administration Building was designed to maximize its occupant use flexibility by incorporating a relatively open floor area surrounding a building core area which contains a majority of the building's electrical systems, mechanical systems, elevator service, emergency exits, stairways, restroms and service chases. Windows at the upper floors are located at a consistent five foot module, thereby allowing the construction of perimeter interior walls in an efficient layout.

These same design elements, rectangular floor plan, open perimeter area, column locations, floor-to-floor heights, window spacing, and a centralized building core, also provide the flexibility required for the adaptation of these floors into a correctional facility.

Additionally, the placement of cells at the perimeter of the building would also leave adequate floor area to incorporate dayrooms, visiting areas,

central control, indoor recreation, centrally located showers, laundry rooms and other required support functions. Staff dining, lockers and general administrative areas could possibly remain in the existing jail, minimizing the duplication of services.

Lastly, whereas the floor plan and configuration of the Yesler Building precludes the incorporation of courtrooms, the Administration Building has considerably more flexibility in incorporating these elements if required.

Advantage: Administration Building

2. Exterior Windows

A. Yesler Building

Although both the Administration Building and the Yesler Building have single glazed windows, those of the Yesler Building are of considerably larger size and therefore susceptible to more costly damage caused by vandalism. In addition, the spacing and size of the Yesler Building windows limits the flexibility of locating and constructing interior walls, i.e., the windows may mandate cell sizes which are not the most efficient use of floor area. This restriction may or may not meet the needs of DAD's operational program pertaining to the number of occupants within each cell/dorm or need for isolation single cell space.

B. Administration Building

While the Administration Building windows are also standard quality single-glazed windows, they appear to be capable of being replaced more easily for compliance with jail construction standards. All of the windows in inmate occupied areas will require replacement with security windows in steel frames. This is also true for the Yesler Building, but as it is a historically significant structure located within the Pioneer Square Special Review District, it is likely that the Administration Building windows could be replaced in a more expeditious and cost-effective manner. Also, as indicated previously, the spacing of windows in the Administration Building provides increased flexibility in designing, and possibly adapting later, a correctional program that meets the needs of a changing population.

Advantage: Administration Building

3. Plumbing

A. Yesler Building

The Yesler Building has limited restroom service on each floor. The expansion of these services as required to provide additional lavatories, water closets, showers and laundry equipment may require an increase in water lines, waste lines and the capacity of the hot water heating system, including the installation of a new boiler. The existing utility lines

located within the mechanical shafts may not be adequate to accommodate the increased demand.

B. Administration Building

The Administration Building was originally designed as a 15-story structure which was later scaled back and constructed as a 9-story building with the capability of vertical expansion at a later date. Consequently, the plumbing systems and chases of this building have been designed to accommodate increased occupant loads without the limitations existing within the Yesler Building. It appears that the existing restroom areas can be more easily modified to incorporate shower rooms and heavy duty correctional institution plumbing fixtures.

Advantage: Administration Building

4. Mechanical Systems

A. Yesler Building

The existing heating, ventilating and air-conditioning system was designed to accommodate an eight-hour-per-day office environment and clearly cannot accommodate a correctional facility occupant load. The existing chases likely would make accommodation from the ground floor a difficult and costly undertaking. Furthermore, due to the "penthouse," it would be extremely difficult if not impossible to install additional mechanical units on the roof.

B. Administration Building

Although it appears impractical for the existing heating, ventilating and air-conditioning systems to be modified for the accommodation of the inmate occupant load, the location and size of mechanical chases and the relatively open mechanical rooftop space of the Administration Building would enable the addition of the equipment necessary for serving the inmate population. Note that the increased air changes, the design temperature and other mechanical code requirements would create the need for independent HVAC equipment to serve general county offices and correctional space, if the facilty was designed as a mixed use facility.

Advantage: Administration Building

5. Electrical Systems

A. Yesler Building

As previously noted, the infra systems and chases in the Yesler Building were not designed to accommodate the occupant loads of a correctional facility. The electrical service into the building, capacity of panels and distribution lines to each floor are not sufficient and may be difficult to upgrade.

B. Administration Building

The Administration Building was originally designed as a 15-story structure which was later scaled back and constructed as a 9-story building with the capability of vertical expansion at a later date. Consequently, the electrical systems and chases of this building have been designed to accommodate increased occupant loads without the limitations existing within the Yesler Building. It should be noted that more recently adopted building code requirements may mandate improvements and construction techniques not used at the time of original construction. Also, according to Plant Services staff, the existing generator appears adequately sized to provide emergency power.

Advantage: Administration Building

6. Structural Design

A. Yesler Building

The Yesler Building is a concrete building reinforced with steel. The building may not be expanded vertically or out from its existing perimeter. The adaptability of interior areas is restricted due to the spacing of columns, which restricts design configurations for correctional space.

B. Administration Building

The existing structural system, as determined by the Type I-Fire Resistive construction as well as being designed for increased capacity, provides the following capabilities:

- open column spacing provides maximum flexibility in the layout of floor plan;
- the increased design load would allow for future vertical expansion if deemed financially feasible;
- the reliance on concrete floor slabs to meet building code requirements also results in a floor system which decreases airborne sound transmission.

Advantage: Administration Building

Section III

Buiding Code Requirements

There are a number of building code issues which would need to be resolved due to the proposed change in building occupancy and the resulting floor plan configuration from general office (B-2) to that of a jail facility (Occupancy Group I-3).

1. Building Construction Type

A. Yesler Building

Seattle Department of Construction and Land Use records indicate that the Yesler Building is Type II-Fire Resistive construction. Although this is suitable for occupancy by a work release program, occupancy by a jail would be limited to the bottom two floors of the building, as indicated in UBC Table 5-D. The remaining floors of the Yesler Building could be used as office space provided a two-hour fire separation is provided. (The differences between the two construction types are indicated in UBC Table 17-A.)

These restrictions appear to impact the practicality of occupying the Yesler Building by a program which has adaptability and expansion capability as major program requirements.

The Seattle Department of Construction and Land Use has indicated that any request for a variance pertaining to the application of the building code will require that the County submit a formal request in writing, outlining specific details of the requested variance. Upon receipt of this request, the DCLU would review the County request and either approve or deny the same. The DCLU also has the capability of requiring compromise improvements. Due to the restrictive timeframe in completing this report, this action was not investigated.

In addition, the Yesler Building is part of the Pioneer Square Review District and borders the International District which is also a Seattle Special Review District. Special Review Districts are established by Seattle for areas of special land use sensitivity. The Pioneer Square District has a citizen board which has power to regulate the use and external features of structures in the district. Should King County ask Seattle for a master use permit (MUP) to convert the Yesler Building to jail use, DCLU would normally refer the matter to the Department of Community Development for action by the Pioneer Square Board. It is important to understand that this Board has authority to review the propriety of any use being proposed as well as the appropriateness of any changes to the appearance of the building. This review could result in a very time-consuming and costly process, particularly with regard to developing a secure perimeter that meets with community and DAD approval.

B. Administration Building

Seattle Department of Construction and Land Use records indicate that the Administration Building is Type I-Fire Resistive construction, with no limitations on height for the use as a jail facility (Occupancy Group I-3). In addition, the Administration Building is not located in a Special Review District nor is it recognized as an historically significant structure.

Advantage: Administration Building

2. Asbestos Abatement

A. Yesler Building

Due to the age of the Yesler Building, it is very likely that the building contains asbestos products throughout. Such products would require encapsulation or removal during the renovation of the facility. This impact would increase proportionally to the number of tenant improvements being made. If King County decides to occupy this facility, regardless of the intended use, it is strongly recommended that a thorough on-site investigation of asbestos conditions be prepared before the County commits itself to the leasing or purchase of the building. In any case, the cost of asbestos abatement will eventually be passed on to the County in the form of either a direct cost or an increase in leasing costs.

B. Administration Building

King County is in the process of encapsulating the asbestos products located within the Administration Building. This abatement process, which is approximately 10% complete, is being executed as areas of the building are temporarily vacated and prior to reoccupation on a phased schedule. None of this abatement has been completed on floors five through nine, which are under consideration for jail occupancy. Depending upon the type of architectural improvements required by the jail occupation, encapsulation of asbestos may be unacceptable, with the more expensive complete removal of these products being required in areas subject to vandalism.

Advantage: Unknown

3. Sprinkler System

A. Yesler Building

The existing sprinkler system is configured on a grid system which is compatible with the existing open space office plan. The construction of walls would therefore necessitate modifying the sprinkler system, and the fire detection system, so that it would service individual sleeping rooms, utility closets, laundry rooms, lavatories, shower rooms and other enclosed spaces. Additional Article 93 Fire Code compliance requirements are identified in later paragraphs.

B. Administration Building

Only minor portions of the Administration Building are currently protected by a sprinkler system. These areas are essentially limited to those areas of the building which are presently or at one time used for storage of record documents.

The use of the Administration Building as a jail would require the installation of a sprinkler system at least on those floors actively occupied by the jail. In all likelihood, building officials will require that the remaining floors of the building be provided with fire sprinklers to maintain adequate fire protection. In addition to the installation of a sprinkler system, the construction of new walls will require the modification of the fire detection system so that it serves individual cells, jail corridors, utility closets, laundry rooms, lavatories, shower rooms, the kitchen and other enclosed spaces.

Advantage: Yesler Building

Article 93 Fire Code Compliance Requirements

Note: The following code requirements are applicable to both buildings.

A. All exits must be enclosed within one hour fire resistive construction. The proposed correctional facility would require the construction of rated corridors and elevator lobbies.

B. Dead-end corridors must be limited to a maximum length of 30 feet.

C. Heating, ventilating and air conditioning (HVAC) systems must automatically shut down in response to any building fire alarm, or manually shut down at a control panel. This includes fire dampers in the duct work serving each of the individual rooms.

D. The existing HVAC systems were designed and configured as the most economical response for office occupancy. If either building is renovated for use as a correctional facility, the size of the existing HVAC units may be inadequate to meet the building code requirements. In addition, the existing duct work would require extensions and modifications to supply each room with both supply and exhaust duct work.

E. The electrically supervised fire alarm and detection system must be expanded to accommodate the increased load of additional enclosed rooms.

F. Smoke (or heat) detectors are required in all corridors, elevator lobbies, in each sleeping room, all utility closets, in all corridors and within 15 feet of all exit doors.

G. An audible fire alarm system must be provided throughout occupied areas of the building, including laundry rooms, shower rooms and all habitable rooms.

H. All exit doors must be provided with electrically operated locking mechanisms which would unlock with fire alarm activation.

I. Emergency lighting would be required in all exit pathways, including corridors, stairways, and the elevator lobbies.

J. All shaft walls must be of one hour fire resistive construction, including the incorporation of fire dampers at penetrations through these walls.

K. Fire alarm speakers must be provided with "voice communications" to a centrally located control panel.

L. While a change in occupancy use would not necessarily require full compliance with the Seattle Energy Code, all improvements which impact components of the Energy Code would require compliance. For example, an increase in the size of a hot water heater would require that the new device comply with the energy code.

M. Every sleeping room below the fourth story is required to have at least one operable window for emergency escape or rescue. The units shall be operable from the inside without the use of separate tools. Note: Secured facilities may be provided with operable windows which include an exterior emergency release.

Advantage: Unknown

Section IV

Community and Tenant Response

The proposed occupation of the Administration Building, or the Yesler Building, cannot be evaluated solely in terms of the tangible items identified earlier, but must also address those concerns of community groups and building tenants. Issues which will require evaluation include:

1. Site Access: Assuming that the Seattle downtown core area is heavily congested, alternate locations for County offices may not be as easily accessible and therefore less desirable to County constituents.

2. Location of County Services: Any major relocation of County offices is directly related to County policies pertaining to the centralization or decentralization of County services. In short, decisions must be evaluated with respect to the County's long-term goals and objectives.

3. Existing Tenants: Any relocation of existing tenants, required before construction of the proposed adaptive reuse of the Administration Building, must be analyzed as to whether or not the relocation is short term or long term, and how this basic assumption impacts the efficiency of County operations.

4. Mixed Use Occupancy: The occupation of the Administration Building's upper floors by a correctional facility allows floors one through five to remain in use as general office space. However, floors five through nine are the most efficiently used portions of the building, in that the remaining floors incorporate large public lobbies, a cafeteria, maintenance areas and uses which decrease the efficiency of the building. Overall efficiency ratings of the two distinct occupancy groups would differ significantly.

   Partial occupancy of the Administration Building could also create occupancy of the building by two noncompatible use groups, i.e., general public offices and a high-security correctional program. PLanning for the partial occupancy must also include a detailed analysis evaluating which County programs would be most compatible or would benefit from being located adjacent to the proposed jail expansion. For example, occupants on floors one through five may more appropriately include DAD Court Services, the Public Defender offices and Human Resources. This would result in a more cohesive and interrelated occupancy group.

Section V

Cost Estimates/Lease Financing

Cost Estimates

A preliminary construction cost estimate cannot be completed for either the Administration Building or the Yesler Building without the completion of a complete facilities program and the subsequent generation of a preliminary floor plan, a procedure which will take several months after the selection of a design consultant. Any hastily generated dollar estimate would inevitably lead to the adoption of unreliable construction cost data as a basis of evaluation and procurement of funds. Each of these elements must be accurately quantified before even a preliminary cost estimate can be prepared. Examples of construction components that must be estimated include: general requirements, sitework, concrete, masonry, metals, wood and plastics, thermal and moisture protection, equipment, furnishings, and conveying systems, etc.

Moreover, for a relative comparison between the Yesler and Administration Buildings it is the life-cycle costs of each option that must be considered. The renovation/construction costs represent only a fraction of the costs to the County over the useful life of the facility. While it is likely that the operation costs of the Yesler Building would exceed those of the Administration Building, due to additional staffing requirements associated with prisoner transportation, the marginal cost benefit of the Administration Building in and of itself does not represent a compelling argument for selecting this option.

Lease Financing

With respect to reviewing the Children's Trust Foundation's proposal for leasing the Yesler Building to the County, the Department focused its analysis on two questions:

1. Is there any legal restriction(s) to King County entering into a public-private partnership with a public 501(C)3 charitable organization? and

2. Are there tax advantages, federal subsidies or other types of fiscal benefits available to public 501(C)3 charitable organizations that are not also available to King County or that otherwise make this an unusually attractive and economically feasible proposal?

Quite simply the answer to both questions appears to be no. The King County Prosecutor's Office has advised that King County has previously and routinely entered into agreements with 501(c)3 organizations. There are no indications that the Children's Trust Foundation proposal presents any special or unique conditions that represent legal problems or concerns.

The proposal calls for the Children's Trust Foundation to structure a deal that takes advantage of the County's tax exempt status. The interest on the debt would be tax exempt interest. This advantage would then be passed to the County in terms of lower occupancy costs or annual lease payments.

Advantages of the lease arrangement include possibly securing funding in a more expeditious manner than issuing bonds and possibly limiting the County's debt for statutory debt limit purposes as only the current year's annual rental would be required to be included in the calculation of the County's debt.

A major disadvantage of this financing approach is that it may be perceived by the community as a means of bypassing the voters' approval. As siting additional correctional capacity in downtown Seattle may be controversial, particularly the Yesler Building (Pioneer Square Special Review District), the timeliness of securing funding may be overshadowed by the very negative public reaction to such an option.

For this reason alone, at this time the Department believes that while there are no apparent legal problems associated with the Foundation's lease proposal, it does not necessarily represent an advantageous financing option.

Section VI

Renovation Time Estimates

Inevitably the question of timeframe arises in the evaluation of feasible options. In general, the selection of either of the proposed buildings will require the completion of at least the following tasks before a design consultant can begin work on the proposed project.

A. Completion of DAD's operations program: minimum of eight months from the approval and release of requested funding;

B. Adoption of DAD's operations program: undetermined length of time;

C. Advertising, selection and contracting of facility programming consultant: minimum of two and one-half months;

E. Review and adoption of the completed facility program by DAD, the Council and the Executive: undetermined length of time;

F. Advertising, selecting and contracting of an architectural design consultant: minimum of three months.

Many of these tasks may overlap one another and construction could be "fast tracked" resulting in an operational correctional facility within two to three years from the County's decision to proceed.

While the Administration Building appears to have several features that suggest its renovation could be completed in less time than that of the Yesler Building - just as with cost benefits, the time savings of one option likely would not be significant when measured against the total expected life of the facility.

Section VII

Summary

King County's existing correctional system capacity is insufficient to accommodate a growing inmate population. Population counts have reached new peaks and threaten to reach levels that will almost certainly make it impossible to provide mandated services and comply with even minimum correctional facility standards. The County is therefore faced with the problem of providing additional correctional capacity in the very near future pending the development of a long-term solution. The Executive has submitted a scope of work for the development of a new correctional facility (long-term solution) which estimates that a new facility could be operational in approximately 33-49 months. By definition, then, an intermediate solution should be operational within 12-24 months.

The purpose of this study was to complete a preliminary analysis of the feasibility of adapting either the Yesler or Administration Buildings into a correctional space as an intermediate solution to the correctional facility crowding problem. As part of this review, the Department also considered the benefits of utilizing the Children's Trust Foundation's lease proposal as a funding option.

Conclusions

A. 400 Yesler Building

Despite several major limitations, a good architectural consultant should be able to design the Yesler Building modifications to meet all of the physical criteria. Although the costs of converting the Yesler Building from office to correctional space may be found to be financially feasible, it appears that the building would be more practically used by King County as a prime office facility.

This conclusion is based primarily on the fact that the building is Type II-Fire Resistive construction and therefore occupancy by a jail would be limited to the bottom two floors of the building as indicated in UBC Table 5-D. In addition, even if the County elected to pursue variances to the building code, several operational concerns suggest this option is not practical. Examples follow.

The exterior windows would definitely require removal and replacement with a steel-framed standard security window - a factor which will significantly alter the exterior appearance of the building. Although the building is not known to be an officially designated historic structure, it does lie within a Special Review District which is established by the City of Seattle for areas of special land use sensitivity. The building is also included on the National Historic Register. Consequently, the Department of Community Development, the Pioneer Square District and the International

District may oppose the alteration of the building's exterior features, if not the entire use proposal.

The Department believes an accurate capacity estimate based on the projected population to be served is approximately 250-300 prisoners. Unless presentence and/or medium security prisoners were located in this building, much of the space would go underutilized as nearly all sentenced minimum-security prisoners are now housed at NRF, work release, home detention or in the west wing.

Restrictions on the development of a full-service laundry and a courtroom(s) also make this option impractical in terms of adequately addressing the needs of the projected population.

Again, while it appears that it may be technically feasible to develop correctional capacity in the Yesler Building, it is clear that this proposal is not a practical intermediate or long-term solution to the present crowding problem.

B. Administration Building

Qualified architectural consultants should be able to design the proposed Administration Building modifications to meet both the physical design and building code criteria. There are a number of characteristics which make this building suitable for occupancy by a correctional facility. These include open floor plans, column spacing, expansion capabilities of building systems and the durable exterior materials.

Possible program and staff efficiencies also suggest that this option may be practical. The Administration Building's proximity to the existing correctional facility may possibly result in the ability to utilize existing ITR, medical/dental, food, laundry, property room, commissary and library services.

Other benefits include:

- more efficient and secure transportation of prisoners and materials between courts and jail locations;
- it is a County-owned site; and
- there may be less potential for public opposition.

Relative to the Yesler Building, the Administration Building is a much more practical option to pursue as a solution to the crowding problem. As part of the design process in locating a correctional facility in the Administration Building, if indeed this location is compatible with DAD long-range plans, the County must evaluate the impact of relocating office staff from not only the upper floors of the Administration Building, but from the entire building. This would provide the opportunity of using the

Administration Building as an integral part of a larger correctional/ public safety complex, which would include the existing correctional facility, the King County Courthouse and the Administration Building which possibly could be used for the police, public defense, prosecutors, etc.

C. Children's Trust Foundation

While DAD appreciates the Children's Trust Foundation's creative and socially responsible proposal to help alleviate the crowding problem, the Department does not believe that the lease proposal represents the most fiscally appropriate option available. Other than possibly reducing the County's debt for statutory debt limit purposes, there do not appear to be other concrete and significant economic benefits associated with this funding proposal.

This is particularly true as the project schedule time estimates range from two to three years and more. These estimates minimize the advantages of more expeditiously securing funding and selecting construction consultants.

Finally, as noted earlier, given the level of public awareness or interest, lease financing the acquisition and development of either building as a means of adding correctional capacity may contribute even further to potential public opposition.

Note: The Department believes lease financing may be an appropriate funding strategy, but only as it applies to long-range capacity solutions. King County must make sure that the public has every opportunity to be advised and consulted on the many issues associated with a new correctional facility.

Section VIII

Recommendations

In reference to the operational/program assumptions, preliminary analysis and conclusions outlined in prior sections of this study, the Department of Adult Detention offers the following recommendations associated with the proposal to develop additional correctional capacity in downtown Seattle for the purpose of reducing the correctional facility crowding problem:

1. It is recommended that King County eliminate the 400 Yesler Building from consideration as an option for additional correctional capacity;

2. That King County consider the use of the Administration Building as a correctional facility only within the context of a long-term solution;

3. That King County adopt the Department's previously submitted "Scope of Work" for the planning and development of a new correctional facility;

4. That King County explore with the Children's Trust Foundation possible lease financing as a funding alternative for long-term capital construction corrections projects;

5. That King County relocate the work-education release program to the Courthouse by February 10, 1989.

APPENDIX 21

King County
Department of Adult Detention
500 Fifth Avenue
Seattle, Washington 98104

October 3, 1989

TO: Tim Hill, King County Executive

FR: Steve Schwalb, Director, Department of Adult Detention
Pat Steel, Chief Financial Officer
Jesus Sanchez, Director, Department of Executive Administration
Bob Thomas, Council Staff

RE: Recommendation for Phase I Interim Housing

The Correctional Facility Oversight Committee has been reviewing and evaluating several interim facility and program options for addressing the crowding problem in the jail until a new, long-term facility (or facilities) can be planned and constructed. When all factors were considered, the Committee selected the portable housing option "A" alternative due to low cost, flexibility to be expanded if necessary, and ability to meet national and/or County adopted correctional standards.

Due to our assumption that any combination of facility and program solutions planned will have to be expanded or supplemented by the time a long-term solution is implemented, we have divided our interim planning into two phases. Phase I consists of an examination of interim capital options. Phase II will cover population management program options.

In the course of our evaluation of options in Phase I we concluded that non-capital population management alternatives alone will not adequately address the crowding problem in a timely manner. We also concluded that a portable housing option, for reasons explained in the attached committee recommendation, needs to be one of the facility alternatives the County pursues. Owing to the rapid growth in the inmate population and the consequent need to provide additional bed capacity as soon as possible, we are recommending that you seek authorization from the County Council to proceed at once with the plan and activation of the portable housing option.

In recommending immediate planning for this facility option, we acknowledge and wish to re-emphasize that this option alone may not be sufficient to handle crowding and projected population growth through 1991. Given the time it may take to implement any facility option, we believe that a contingency plan for expansion of existing population management programs and/or the initiation of new programs should be developed in 1990 in order to avoid reaching the capacity lid for the main jail facility. This will be pursued in Phase II.

The Oversight Committee's recommendation is based upon the collective analysis of over 22 members of several interdepartmental and staff working groups. Since May, 1989, these work groups have participated in more than

ATTACHMENT A

Summary:

The Committee examined eight capital alternatives for interim housing. The decision criteria included: cost, flexibility, timing and community concerns. Preliminary fiscal analysis effectively reduced the number of options for full consideration to two portable housing options and two Courthouse configurations.

When all factors were considered, the Committee unanimously selected the portable housing option "A" alternative (barracks-style modular housing).

This alternative was deemed to be the most appropriate choice for several reasons including:

Low cost: cost per bed day ranged from $30 - $36 depending on the number of beds activated.

Time schedule: the Committee believes modular housing can be sited and activated in time to meet the demands of projected population increases, provided that interim population management programs are also implemented.

Flexibility: the modular housing option may be expanded (if necessary) in a cost effective manner. This option can also accommodate shifts in population (i.e. increases in women) more efficiently than the other options.

Standards: the barracks-style modular housing option has the ability to provide for compliance with ACA and/or County-adopted standards in the most cost effective manner.

Note: The Committee also attempted to evaluate options in terms of potential community concerns, especially in relation to siting. The Committee concluded that there would likely be community concern, and possibly strong opposition, to any site selected. It was not possible, however, to predict the degree of potential opposition to any particular option.

Background:

As noted in several briefings to the Executive and Council, the growing prisoner population in the correctional facility has reached levels that requires County decision-makers to take practical steps to develop additional interim capacity.

The prisoner population has increased from a 1988 average daily population of 1,665 to a current year-to-date ADP of 1,840. DAD estimates the 1989 ADP will be 1,871, with the year end ADP of 1990 reaching approximately 2,090. Peak days in 1990 could exceed this number by several hundred. As current total system beds total only 1,520, the Executive previously concluded in a June 9, 1989 letter to Council Chair Ron Sims that King County must: (1) develop additional interim capacity, and (2) continue to pursue the development and implementation of new non-capital population management strategies.

A

thirty joint planning sessions of two to eight hours each. In addition to the more than 120 hours in joint planning sessions, each work group member has provided up to four hours of additional research work each week since July. A great deal of this additional research work was accomplished as "homework assignments" that were largely completed on staff's own personal time.

The Oversight Committee carefully examined all operational programming scenarios and capital costs for each option. Full life-cycle estimates were developed for each alternative including cost per bed and bed cost per day. These cost estimates served as a basis for comparison. Although further refinements to the estimates will be made, the Committee does not believe that any adjustments would be significant enough to result in the selection of a different alternative.

Attached to this document please find a detailed description of our recommended alternative (Attachment A). Attachments B through G represent our summaries and samples of life cycle, capital, staffing and operational cost estimates associated with this project. A motion and transmittal letter to the Council are also attached for your review and approval. The Motion references an implementation plan which is included with the Motion.

SS:WK:sc
t:phaseI

cc: Bob Williams, Council Staff
Don Cherno, Manager, Office of Capital Planning and Development
ATTN: John Llewellyn, CIP Coordinator, Office of Capital Planning and Development
Debora Gaye, Budget Supervisor
ATTN: Agnes Govern, Budget Analyst
Bill Wilson, Budget Supervisor
Wendy Keller, Project Coordinator, Department of Adult Detention
Susan Clawson, Administrative Assistant, Department of Adult Detention
ATTN: Steve Thompson, Program Analyst

ATTACHMENT A

CORRECTIONAL FACILITY OVERSIGHT COMMITTEE RECOMMENDATION FOR INTERIM HOUSING (Phase I)

The recommendation outlined below is based on the results of a thorough examination of a "Universe of Options" for addressing the current correctional facility crowding problem, and represents the unanimous opinion of the committee's representatives and support staff as noted below:

Project Oversight Committee:

Steve Schwalb, Director, Department of Adult Detention (Chair)
Jesus Sanchez, Director, Department of Executive Administration
Pat Steel, Chief Financial Officer, Office of Financial Management
Bob Thomas, King County Council Staff

Support Staff:

Wendy Keller, Department of Adult Detention, Project Coordinator (Oversight Committee Staff)
Don Cherno, Department of Executive Administration
John Lewellyn, Department of Executive Administration
Debora Gay, Office of Financial Management
Agnes Govern, Office of Financial Management
Susan Clawson, Administrative Assistant, Department of Adult Detention
Steve Thompson, Program Analyst, Department of Adult Detention

Pursuant to that directive, the new Correctional Facility Project Oversight Committee examined a wide ranging "universe of options" for developing new interim capacity. The process and methodology employed by the committee is discussed below.

Methodology:

The Oversight Committee reviewed eight capital alternatives for interim housing that included use of the Courthouse, the Administration Building, Fircrest, satellite barracks-style modular housing, and several others.

The committee also carefully examined operational programming scenarios and capital costs for each option. Full life-cycle cost estimates were developed for each alternative including cost per bed and bed cost per day.

Operational programming scenarios estimated following the operating costs:

- staff (uniformed, support, and supervisory)
- transport costs
- food
- rent (if applicable)

Capital cost estimates were based on:

- estimated gross square feet
- number of beds
- estimated project time
- approximate construction costs
- permit fees
- site development
- fences/gates/landscaping
- asbestos abatement
- sales tax
- A/E costs
- equipment/furniture
- contingency costs
- project administration costs
- 1% for Art

In addition to cost, the Committee also measured each alternative against three other decision criteria noted below:

timing: estimated schedule for activating the space

flexibility: ability to expand, ability to accommodate shifts in the prisoner population, and ability to reuse the space

standards: concurrence with King County adopted and American Correctional Association physical plant and staffing standards

(attachment b)

QUALIFYING STATEMENTS
on
Interim Housing Options

Portable Housing A

1. This construction project would require a bid process and a non-county construction contractor. The time frame estimate provides for this process.

2. This option requires a minimum of 1.3 acres of county owned or "borrowed" land on which to place these modular construction buildings. Construction time frames assume timely site selection and approval.

3. Road, sewer and power access must already be present at least to the edge of the site.

4. This project would probably require an environmental impact study. The budget and project time frame includes minimal provisions for both.

5. This would be new construction and meets all building, life/safety and ACA recommended physical space standards for inmate housing areas.

6. ACA recommends an officer/inmate ratio of 1:50 for open dormitory settings. The recommended ratio for single cell inmate housing is one officer to 64 inmates. This housing option could be run at the 1:50 ratio for open dormitories or could be run at a 1:64 ratio on an interim basis only.

7. This project also assumes no kitchen facilities and would require food to be brought in "prepared" to the facility. The budget for this project assumes and provides for such a contract.

8. This option provides for outdoor recreation space for inmates and limited "indoor" space.

9. This option assumes booking, release and court functions would still take place through the KCCF. (same as all other options)

10. The project time frame assumes that some funding for this project would be available by November 1, 1989.

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wk/bt/9/20

	PORTABLE HOUSING Alt. #1	CH 12 BOX Alt. #2	CH HYBRID Alt. #3	I,A & C REMODEL Alt. #4	Firecrest Alt. 5	ADMIN 4 (30 YRS) Alt. #6	CH HYBRID 2 Alt. #7	PORTABLE HOUSING 2 Alt. #8
Contract Costs	$2,665,923	$1,731,879	$2,426,813	$1,400,029	$3,032,346	$10,474,361	$2,429,665	$2,665,923
Other Initial Costs								
a. TRANSITION COSTS								
b.								
c.								
Total Initial Cost Impact (IC)	$2,665,923	$1,731,879	$2,426,813	$1,400,029	$3,032,346	$10,474,361	$2,429,665	$2,665,923
Salvage & Replacement Costs								
Single Expenditure Interest:								
Present Worth								
1. Year 0 Amount	$0	$0	$0				$0	$0
PV = Amnt * (PV Factor)	$0	$0	$0	$0	$0	$528,870		$0
2. Year 0 Amount	$0	$0	$0			$203,902	$0	$0
Amount * (PV Factor)	$0	$0	$0	$0	$0	$1,617,702		$0
3. Year 0 Amount	$0	$0	$0			$240,473	$0	$0
Amount * (PV Factor)	$0	$0	$0	$0	$0			$0
4. Year 0 Amount								
Amount * (PV Factor)	$0			$0	$0	$0		$0
5. Year 50 Amount								
Amount * (PV Factor)	$0			$0	$0	$0		$0
Salvage Amount * (PV Factor)	$1,113,587	$100,063	$409,386	$269,852	$1,722,806	$291,774	$409,386	$1,113,587
Annual Owning & Operating Costs								
1. Capital IC * (PP)	$703,264	$456,865	$640,187	$369,324	$799,925	$1,102,204	$640,940	$703,264
Recovery 5 Years @ X 10.00%								
Replacement Cost: PP * PV								
a. Year 0	$0	$0	$0	$0	$0	$33,105	$0	$0
b. Year 0	$0	$0	$0	$0	$0	$27,116	$0	$0
c. Year 0	$0	$0	$0	$0	$0	$0	$0	$0
d. Year 0	$0	$0	$0	$0	$0	$0	$0	$0
e. Year 0	$0	$0	$0	$0	$0	$0	$0	$0
Salvage:	($293,761)	($26,391)	($107,995)	($71,186)	($456,472)	($30,951)	($107,995)	($293,761)
2. Annual Costs								
a. Maintenance								
b. Operations								
c. Rent	$2,351,132	$1,826,755	$2,025,220	$2,196,212	$2,435,803	$4,229,567	$3,114,000	$2,210,068
d. Satellite programs								
e.								
3. Total Annual Costs	$2,760,635	$2,255,229	$2,557,412	$2,496,350	$2,701,257	$5,399,163	$3,646,945	$2,627,571
Cost per bed	$10,784	$10,205	$10,524	$15,590	$13,906	$12,498	$29,411	$13,138
Number of Beds	256	221	243	160	200	432	124	200
Bed C	$30	$28	$2	$43	$38	$36	$81	$36

(ATTACHMENT D)

CAPITAL PROJECT OPTIONS - INTERIM JAIL SPACE

OPTION NAME:	I,A, C DECKS	FIRCREST	PORTABLE HOUSING	CH 12th FLOOR	ADMIN BUILDING	I,A,C Deck CH 12th Fl	PORTABLE HOUSING Alt 1	I,A,C Deck CH 12th Fl Alt 1
APPROX GSF:		26,400	20,600	18,800	100,000	20,600	20,600	20,600
NUMBER OF BEDS:	160	200	256	221	432	243	200	124
EST TOT PROJ TIME:	5 mo.	10-12 mo.	10-12 mo.		24 mo.	10-12 mo.	10-12 mo.	10-12 mo.
APPROX CONSTRUCTION COST:	890,000	1,848,000	1,648,000	1,128,000	7,000,000	1,626,400	1,648,000	1,626,400
Inflation:	0	0	0	0	?	0	0	0
Permits:	0	2,772	2,472	0	10,500	0	2,472	0
Site Development:	0	30,000	224,000	0	0	0	224,000	0
Fences/Gates Landsc:	0	47,000	63,000	0	0	0	63,000	0
Asbestos Abatement:	0	80,000	0	0	incl in const	0	0	0
Sales Tax:	14,418	29,938	133,488	18,274	567,000	26,348	133,488	26,348
TOTAL (003):	904,418	2,037,710	2,070,960	1,146,274	7,577,500	1,652,748	2,070,960	1,652,748
A/E COSTS (001):	Incl in 009	Incl in 009	incl in const	Incl in 009	490,000	Incl in 009	incl in const	Incl in 009
Programming:	0	0	0	0	210,000	0	0	0
EIS:	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
ACQUIS/RENT (002):	0	81,000	0	0	?	0	0	0
EQUIP/FURN (004):	133,500	277,200	247,200	169,200	1,050,000	243,960	247,200	243,960
Vehicles:	0	40,000	40,000	0	0	0	40,000	0
CONTINGENCY (005):	133,500	277,200	82,400	169,200	700,000	243,960	82,400	243,960
Total:	$1,321,418	$2,863,110	$2,590,560	$1,634,674	$10,177,500	$2,290,668	$2,590,560	$2,290,668
PROJ ADMIN (009):	66,071	143,155	51,811	81,734	203,550	114,533	51,811	114,533
Total:	$1,387,489	$3,006,265	$2,642,371	$1,716,407	$10,381,050	$2,405,201	$2,642,371	$2,405,201
1% For Art (006):	12,540	26,081	23,552	15,472	93,311	21,612	23,552	21,612
Grand Total:	$1,400,029	$3,032,346	$2,665,923	$1,731,879	$10,474,361	$2,426,813	$2,665,923	$2,429,665
Cost per bed:	$8,750	$15,162	$10,414	$7,837	$24,246	$9,987	$13,330	$19,594

OPTION: PORTABLE A

NET GAIN: 256

STAFF TYPE	FLOOR	SHIFT 1	SHIFT 2	SHIFT 3	TOTAL SHIFTS	DAYS	FTES	UNIT COST	COS
DORM OFFICER		4	4	2	10	7	16	$31,026	$496,41
RELIEF ROVER		1	1	1	3	7	4.8	$31,026	$148,92
TRANSPORT		2	2		4	7	6.4	$31,026	$198,56
COURT ESCORT					0	0	0	$31,026	$
SGTS		1	1	1	3	7	4.8	$45,080	$216,38
ADMIN (LT)		1			1	5	1.2	$55,976	$67,17
CLASSIFICATION		1	1		2	7	3.2	$32,618	$104,37
JAIL AIDE		1	1		2	7	3.2	$26,691	$85,41
		1			1	5	1.2	$26,691	$32,02
CLERICAL		1	1	1	3	7	4.8	$21,372	$102,58
		1			1	5	1.2	$20,096	$24,11
MEDICAL		1	1		2	7	3.2	$36,853	$117,93
MAINT.					0	0	0	$0	$
COOK					0	0	0	$31,309	$
COOK HELPER					0	0	0	$18,583	$
REC. SPEC.					0	0	0	$35,037	$
CHECKIN					0	0	0	$31,026	$
CONTROL					0	0	0	$31,026	$
FOOD								$2,376	$608,29
RENT									$
PERIMETER		1	1	1	3	7	4.8	$31,026	$148,92
									$2,351,13
		16	13	6	35		54.8		

EHD	$
CONTRACT	$
MINUSTAFF	$
	$2,351,13
FTES	54.
PER BED	$9,18

TACHMENT E

INTERIM JAIL SPACE OPTIONS

CRITERIA		A I,A, C DECKS	B FIRCREST	C PORTABLE HOUSING	D CH 12th FLOOR	E ADMINISTRAT BUILDING	F I,A,C Deck CH 12th Fl	G PORTABLE HOUSING Alt 1	H I,A,C Deck CH 12th Fl Alt 1
OST	Capital Cost Estimate	1,400,029	3,032,346	2,665,923	1,731,879	10,474,361	2,426,813	2,665,923	2,429,665
	Operating Cost Estimate	2,196,212	2,435,803	2,351,132	1,824,755	4,229,567	2,025,220	2,218,068	3,114,000
	Assumed Life	5 yrs	5 yrs	5 yrs	5 yrs	30 yrs	5 yrs	5 yrs	5 yrs
	Annual Costs (per LCCA)	$2,494,350	$2,781,257	$2,760,635	$2,255,229	$5,399,163	$2,557,412	$2,627,571	$3,646,945
	Number of Beds	160	200	256	221	432	243	200	124
	Cost per bed (per LCCA)	15,590	13,906	10,784	10,205	12,498	10,524	13,138	29,411
	Bed Cost per day (per LCC	$43	$38	$30	$28	$34	$29	$36	$81
IMING									
	Estimated Schedule			10/89 - 9/90			10/89-8/90		
LEXIBILITY									
	Ability to Expand			+			-		
	Ability to Accommodate Shifts in Pop.			+			-		
	Ability to Reuse			+			+		
OLITICAL CONCERNS									
	Opposition to Siting			-			-	-	-
	ACA Physical Plant Standards			+			-	+	+
	ACA Staffing Standards			-			+	+	+

(attachment G)

OPTION NAME: Portable Housing A

SPECIAL INFORMATION/ PROGRAMMING ASSUMPTIONS

It is assumed that this type of housing would be located on property that would not be attached to the KCCF; most likely in a suburban setting. The facility is designed to be placed entirely on a leveled paved surface. Paving would include a large exercise yard and parking area which are not shown currently on the sample drawing. There would also be about 30 feet of paved surface all around the buildings which would allow emergency and transport vehicle access. It is further assumed that the entire complex would need security fencing, cameras and some monitoring equipment. Vehicles would enter the compound via a "fence" sallyport and leave via the same. Ample space would have to be provided for vehicle turnaround or an exit sally would be required.

GENERAL PROGRAM/SERVICE SCENARIOS

1. FOOD SERVICES:

As a satellite facility it was considered more cost efficient from both a capital and an operational perspective to contract for bulk cooked food and clean trays etc. to be delivered to this facility. Inmates and a jail aide (under general officer supervision) would reheat dish up and serve the food. Inmates would report (one dorm at a time) to the dining/multipurpose building to eat. All food containers and dirty trays would be collected by the food service contractor and hauled away after the meal is over. Inmates would be used to clean the dining and reheat/serving area.

2. MEDICAL SERVICES:

No inmates with chronic or serious health problems would be housed at this facility. All injuries or health risks would be returned to KCCF for treatment and housing. The nurse practitioner would take care of all general medical exams and medical rounds. Any minor exams would be conducted by appointment in the exam area provided in the multipurpose building under the supervision of the Sgt. and/or rover.

3. RECREATION:

Inmates will have some stationary exercise equipment located in each of the dayroom areas for indoor exercise. Weather permitting inmates will be allowed out into the recreation yard. Dorms will go to the yard one dorm at a time and the dorm officer will go with

their inmates to supervise the activity. The adjoining dorm officer will supervise his dorm and the remaining inmates in the dorm (out to rec) from the indirect officers station.

4. COURT APPEARANCES:

Inmate court appearances may be handled in either of two ways. A district court could be located near or added to this complex in order to handle most of the appearances, or inmates may be transported down to the courthouse. In either case the officers assigned to the transport task for this facility would take care of supervising both the transport and court detail needed for these inmates.

5. VISITING:

This facility would have to be located near public transportation to assist with inmate family visiting access. Parking space would also have to be sufficient to handle inmate visitors. Visiting would take place in non-contact or contact space. Both would be provided in the multipurpose building. The clerical position would provide reception and coordination of visiting. The rover position and sgt. would supervise and enable the inmate visiting process.

6. LIBRARY SERVICES:

Books would be delivered to the multipurpose building and placed on shelves and exchanged regularly by Library or KCCF volunteer staff. Inmates would obtain and exchange books after meals or could order books and legal material by kites. These materials would be delivered to the inmate via the inmate mail system.

7. LAUNDRY:

Laundry could either be contracted or it could be scheduled to come from KCCF along with the transport vehicle. Laundry exchanges would be effected in the multipurpose area after the evening meal service. Officers would accompany their dorm inmates and supervised the exchange process. To accomodate the increase in volume a second shift would be added to the KCCF laundry facility. This position would also be responsible for the additional commissary processing.

8. COMMISSARY:

Commissary orders would be delivered with the daily inmate transport run to/from KCCF. Orders would be boxed for each dorm and would be turned over to the dorm officers after the evening meal service. Officer would distribute commissary in the dorms during the evening hours.

9. INMATE MAIL:

Inmate mail would be delivered to/from the facility via the transport vehicle. Arriving mail would be sorted, searched and bundled by dorm in the multipurpose area by evening or graveyard clerical position.

10. FACILITY MAINTENANCE:

Mechanical, electrical and structural maintenance would be handled out of existing KCCF maintenance staff. Inmates would clean their own dorms under the supervision of the dorm officer. A small cleaning storage and mop sink area would be located in each dorm. The Multipurpose area would be cleaned by trustees under the supervision of the rover.

11. INMATE DISCIPLINE:

Inmate disciplinary problems will be returned to the KCCF. Each dorm has a sallyport for immediate staging of inmates and two separate holding cells will be available in the multipurpose area. New inmates will be staged and oriented in the multipurpose area before being taken to their assigned dorm. Classification staff would be stationed at this facility to handle workload associated with both classification and disciplinary hearings.

12. SPECIAL EQUIPMENT:

- transport vehicle to handle up to 30 inmates and laundry
- portable radios for all staff positions
- security fencing, cameras, monitors etc.

INTPROG2
wlk 8/89