

2 EHB 2570 - S COMM AMD

3 By Committee on Human Services & Corrections

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. (1) The Washington state institute for
8 public policy shall conduct a special study of the contracts,
9 operations, and monitoring of community residential facilities that
10 house juvenile offenders who are under the jurisdiction of the
11 department's juvenile rehabilitation administration.

12 (2) The institute must investigate and report on community
13 residential security, staffing, and operation; offender intake and
14 assessment procedures; employee hiring practices and background checks;
15 violations and infractions committed by offenders; and community
16 notification and participation in the facility siting and offender
17 placement process.

18 (3) The institute must consult with nearby residents, local
19 sheriffs and police chiefs, courts, probation departments, schools, and
20 employers in the community in which the community residential facility
21 is located.

22 (4) The institute shall investigate and report on at least the
23 following issues:

24 (a) Community residential security, staffing, and operation:

25 (i) Are the facilities physically secured with door locks, alarms,
26 video monitors, and other security features so that staff are
27 immediately aware of any unauthorized exits or unauthorized visitors?
28 Which homes are not?

29 (ii) What legal barriers exist, if any, that prevent equipping
30 community residential facilities with locks, alarms, video monitors,
31 and other equipment that would make the facilities more physically
32 secure?

33 (iii) How much would it cost to equip community residential
34 facilities with security equipment?

35 (iv) For each facility describe:

36 (A) The staffing level by shift;

1 (B) The times, if any, in which offenders are either locked inside
2 secure rooms or locked inside the facility;

3 (C) What constitutes an escape;

4 (D) How much time must elapse before an unauthorized absence
5 becomes an escape;

6 (E) The escape reporting procedure;

7 (F) Who may visit the offender and at what hours;

8 (G) What is the screening process used to authorize visitors; and
9 (H) Whether offenders share bedrooms.

10 (v) Describe the monitoring level by the juvenile rehabilitation
11 administration and specifically address the following:

12 (A) How often does the juvenile rehabilitation staff visit the
13 community residential facilities?

14 (B) How many of these visits are random, unannounced, or conducted
15 at night and on weekends and holidays?

16 (C) What does the juvenile rehabilitation staff person investigate
17 when conducting these visits?

18 (D) How often does the juvenile rehabilitation staff contact
19 neighbors, schools, employers, and law enforcement to determine whether
20 juvenile offenders in the community residential facilities are
21 disruptive or that staff is responsive to community concerns?

22 (b) Offender intake and assessment procedures:

23 (i) Identify legal, procedural, and financial barriers to sharing
24 information about juvenile offenders in community residential
25 facilities between the juvenile rehabilitation administration, schools,
26 courts, law enforcement, other department of social and health
27 services' programs including the division of children and family
28 services and the division of alcohol and substance abuse, and the
29 public.

30 (ii) What authority does the state have to remove the barriers?

31 (iii) Identify what entity, the county, the juvenile rehabilitation
32 administration, or the community residential facility, is responsible
33 for collecting risk assessment data. Describe the process and if it
34 varies in different counties.

35 (iv) What types and sources of data are being collected
36 inconsistently?

37 (v) What types and sources of data are being used inconsistently in
38 performing risk assessments?

1 (vi) What safeguards exist to ensure that assessments are being
2 made with complete information?

3 (c) Employee hiring practices and background checks:

4 (i) Review the laws, policies, and rules that govern conducting
5 criminal history and disciplinary history background checks for
6 employees of community residential facilities.

7 (ii) Are the laws, policies, and rules consistently and uniformly
8 followed?

9 (iii) Are background checks conducted on all employees and if not
10 what is the criteria to conduct one?

11 (iv) Are there existing employees on whom background checks have
12 not been conducted?

13 (v) What are the specific offenses or disciplinary violations that
14 disqualify potential employees from working in a community residential
15 facility, whether state operated or contracted?

16 (vi) How many current employees have a felony conviction, for what
17 offense or offenses, and what is the date of conviction?

18 (vii) Do background checks include ensuring that hired employees
19 have appropriate qualifications and minimum standards for the specific
20 job they are being hired for?

21 (d) Violations or infractions committed by juvenile offenders in
22 community residential facilities:

23 (i) What constitutes an infraction or violation under policies or
24 rules of the juvenile rehabilitation administration or community
25 residential facilities? Are some infractions considered more serious
26 and result in more severe punishment than others?

27 (ii) Are the policies and rules governing infractions and
28 violations uniformly applied and consistently followed?

29 (iii) What barriers, if any, are preventing consistent application
30 from occurring?

31 (iv) How many violations, by type and seriousness level, have
32 occurred or have been reported about juvenile offenders residing in
33 community residential facilities during fiscal year 1997?

34 (v) What are the consequences for committing a violation or
35 infraction?

36 (vi) What appeals process, if any, exists that governs an
37 offender's appeal from a finding that the offender committed an
38 infraction?

1 (e) Community notification and participation in the facility siting
2 and offender placement process:

3 (i) What process, if any, does the juvenile rehabilitation
4 administration use to notify local law enforcement, residents, schools,
5 and businesses that a community residential facility that will house
6 juvenile offenders will be located in a particular place?

7 (ii) What process, if any, does the juvenile rehabilitation
8 administration or the community residential facilities use to notify
9 the individuals and entities identified in (e)(i) of this subsection
10 regarding the placement of specific offenders into a community
11 residential facility?

12 (iii) To what extent, if any, does the juvenile rehabilitation
13 administration or the community residential facility seek public
14 comment on or participation in siting community residential facilities
15 or placing particular offenders in those facilities?

16 (iv) Compare the department of corrections' practices in obtaining
17 community comment and participation in siting facilities and placement
18 of offenders.

19 (v) Identify models in other jurisdictions that provide for greater
20 community comment and participation in siting facilities and placement
21 of offenders.

22 (vi) Identify any legal, procedural, practical barriers to
23 increasing community comment and participation in siting facilities and
24 placement of offenders.

25 (5) The institute shall recommend changes to existing laws,
26 procedures, and practices governing community residential facilities to
27 increase public safety, community residential facility security,
28 protection of juvenile offenders housed in community residential
29 facilities, and community comment and participation in siting
30 facilities and placement of offenders. The institute shall also
31 identify costs associated with implementing recommended changes.

32 (6) An initial status report of the progress of the study shall be
33 presented to the house criminal justice and corrections committee and
34 the senate human services and corrections committee no later than May
35 1, 1998. The institute shall present a final report to those
36 committees no later than September 1, 1998.

1 NEW SECTION. **Sec. 2.** The Washington state institute for public
2 policy shall also conduct a study of juvenile detention standards. The
3 study shall:

4 (1) Include a survey of standards in place and proposed for all
5 existing and planned detention facilities in this state;

6 (2) Document current compliance of detention standards with
7 recommended American correctional association standards and those
8 delineated in RCW 13.06.050;

9 (3) Document any concerns, problems, or issues regarding current
10 standards that have a direct impact on the safety and health of
11 offenders, staff, and the community;

12 (4) Make recommendations as to improvements needed and a timeline
13 for the implementation of such improvements;

14 (5) Recommend a schedule of periodic review of juvenile detention
15 standards;

16 (6) Conduct an analysis of the costs to implement the
17 recommendations in accordance with the recommended timeline; and

18 (7) Submit a report to the legislature and governor by December 31,
19 1998."

20 **EHB 2570** - S COMM AMD

21 By Committee on Human Services & Corrections

22

23 On page 1, line 2 of the title, after "offenders;" strike the
24 remainder of the title and insert "and creating new sections."

--- END ---