



Legislation Details (With Text)

File #: 2022-0439 **Version:** 3

Type: Ordinance **Status:** Passed

File created: 11/15/2022 **In control:** Law, Justice, Health and Human Services Committee

On agenda: **Final action:** 4/4/2023

Enactment date: 4/12/2023 **Enactment #:** 19590

Title: AN ORDINANCE authorizing the executive to execute an interlocal agreement with the South Correctional Entity for jail services and imposing conditions and requirements.

Sponsors: Dave Upthegrove

Indexes: Correctional Facilities, Executive, Interlocal Agreement

Code sections:

Attachments: 1. Ordinance 19590, 2. 2022-0439 Amendment 1, 3. 2022-0439 Amendment 2, 4. 2022-0439 Amendment 3, 5. 2022-0439 Amendment 4, 6. 2022-0439 Amendment 5, 7. 2022-0439 Amendment 6, 8. 2022-0439 Title Amendment T1, 9. A. Interlocal Agreement for Inmate Housing, dated March 17, 2023, 10. A. Interlocal Agreement for Inmate Housing, dated February 14, 2023, 11. A. Interlocal Agreement for Inmate Housing, 12. 2022-0439 transmittal letter, 13. 2022-0439 fiscal note, 14. 2022-0439 Legislative Review Form, 15. 2022-0439_SR_SCORE_ILA, 16. ATT2_Amd1v2, 17. ATT3_ILA2-14, 18. ATT4_AmdT1, 19. 03-07-23 LJHHS Committee Written Public Comments, 20. Hong Tran Public Comment Support for SEIU DPD-Local 925 Letter regarding Interlocal Agreement between King County and Score jail., 21. 2022-0439_RevisedSR_SCORE_ILA, 22. SCORE_Information_3-17, 23. SCORE_Information_3-20_redacted, 24. SCORE_Information_3-24, 25. RCW Offense Seriousness Chart, 26. Community Bail Fund Pilot Project Report

| Date | Ver. | Action By | Action | Result |
|------------|------|---|--|--------|
| 4/4/2023 | 2 | Metropolitan King County Council | Passed as Amended | Pass |
| 3/28/2023 | 2 | Metropolitan King County Council | Deferred | |
| 3/21/2023 | 2 | Metropolitan King County Council | Deferred | |
| 3/7/2023 | 1 | Law, Justice, Health and Human Services Committee | Passed Out of Committee Without a Recommendation | Pass |
| 1/10/2023 | 1 | Metropolitan King County Council | Reintroduced | |
| 11/15/2022 | 1 | Metropolitan King County Council | Introduced and Referred | |

AN ORDINANCE authorizing the executive to execute an interlocal agreement with the South Correctional Entity for jail services and imposing conditions and requirements.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. The COVID 19 pandemic has caused unprecedented staff shortages for the department of adult and

juvenile detention and the jail health services division of public health - Seattle & King County.

B. As experienced by other correctional workforces throughout the nation, the shortage has been caused by staff contracting COVID-19, needing to isolate or quarantine from exposures, suffering from fatigue or separating from county employment altogether because of pandemic-related mandates that are in place to keep staff and inmates safe.

C. The pandemic has also caused the county jails to make operational changes that are more labor intensive.

D. Due to those staff shortages and operational changes the county now has the need to contract with an outside entity to house some county inmates.

E. The South Correctional Entity is a governmental administrative agency formed by the cities of Auburn, Burien, Des Moines, Renton, SeaTac and Tukwila to operate and maintain a correctional facility in the city of Des Moines.

F. The executive and South Correctional Entity have negotiated an interlocal agreement for the housing of county inmates.

G. The interlocal agreement between King County and South Correctional Entity is intended to be a short-term arrangement for housing a small fraction of county inmates as one tool for addressing county detention staff shortages and is intended to terminate when King County has sufficient staffing to support county detention operational needs.

H. South Correctional Entity has acknowledged and agreed to comply with the unexpected fatality review requirements in accordance with state law, and publicly issues unexpected fatality reports.

I. South Correctional Entity's policies and procedures are compliant with American Correctional Association Standards. South Correctional Entity is accredited by both the National Commission on Correctional Health Care and the Washington State Association of Sheriffs and Police Chiefs. Those accreditations are a crucial factor of the King County council's authorization of execution of an interlocal

agreement with South Correctional Entity for jail services. Continued housing of King County inmates at South Correctional Entity through the duration of the contract is conditioned on South Correctional Entity maintaining accreditation by the National Commission on Correctional Health Care and the Washington State Association of Sheriffs and Police Chiefs and continuing to comply with American Correctional Association Standards.

SECTION 2.

A. The executive is hereby authorized to execute an interlocal agreement for jail services with the South Correctional Entity, in substantially the form of Attachment A to this ordinance.

B. For the duration of the interlocal agreement, the executive must report quarterly to the King County council on the performance of jail services provided for King County by South Correctional Entity. Reports may be electronically transmitted to the clerk of the council who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee, or its successor. Alternatively, reports may be provided via written and oral briefing to the law, justice, health and human services committee, or its successor. To the extent practically feasible, each report should include information from the quarter before the report date, including, but not limited to:

1. The number of King County inmates that were:
 - a. booked into South Correctional Entity;
 - b. housed by South Correctional Entity;
 - c. transported by South Correctional Entity; and
 - d. transported by the department of adult and juvenile detention to or from South Correctional Entity;
2. The average length of stay of King County inmates housed at South Correctional Entity;
3. The status of King County inmates housed at South Correctional Entity's access to:
 - a. court appearances;

- b. in-person programming;
- c. video visitation; and
- d. timely release;

4. A listing of all infractions by and resulting disciplinary actions against King County inmates housed at South Correctional Entity;

5. Consultation with representatives of the department of adult and juvenile detention, the department of public defense, King County Corrections Guild, superior court, the prosecuting attorney's office, South Correctional Entity and other stakeholders and a discussion of any concerns raised about jail services provided by South Correctional Entity on behalf of King County inmates by stakeholders; and

6. The status of South Correctional Entity's professional accreditations.

C.1. Authorization to execute the interlocal agreement for jail services with South Correctional Entity is conditioned on the executive limiting the number of King County inmates housed at South Correctional Entity to no more than sixty per day, until the executive has provided to the council an initial report on the performance of jail services provided for King County by South Correctional Entity, as required by subsection B. of this section and has electronically provided a letter to the clerk of the council signaling the executive's intention to expand the number of King County inmates housed at South Correctional Entity. The clerk shall retain an electronic copy of the letter and provide an electronic copy to all councilmembers, the council chief of staff and the lead staff for the law, justice, health and human services committee, or its successor. The letter must include:

- a. the number of people that department of adult and juvenile justice intends to house at SCORE;
- b. confirmation of South Correctional Entity's readiness to house additional King County inmates

and discussion of how housing of the additional inmates would be configured within South Correctional Entity;

and

- c. identification of the projected costs and funding source for housing additional King County

inmates at South Correctional Entity.

2. The council shall have thirty days from receipt of the executive's letter to adopt a motion restricting the expansion of the number of King County inmates housed at South Correctional Entity, after which if a motion is not adopted by the council the executive is authorized to expand the number of King County inmates housed at South Correctional Entity.