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S1

December 11, 2017

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Sponsor: Dembowski

[jr]

Proposed No.: 2017-0401

STRIKING AMENDMENT TO PROPOSED ORDINANCE 2017-0401, VERSION

1

On page 1, beginning on line 9, strike everything through page 5, line 101, and insert:

"STATEMENT OF FACTS:

1. King County leaders are committed to preventing youth involvement in the juvenile justice system, advancing the goal of zero youth detention and reducing the negative impacts of involvement in the juvenile justice system.

2. Ordinance 13916, approving Phase II of the Juvenile Justice Operation Master Plan, was adopted in 2000 as the policy of King County to emphasize prevention, intervention, and alternatives to the use of secure detention for juvenile offenders.

3. In 2014, Ordinance 17738 called for the development of a Youth Action Plan to set King County's priorities for serving its young people, from infants through young adults. In 2015, Motion 14378 adopted a youth action plan for King County, which had nine areas of recommendations, including Recommendation Area 3: Stop the School to Prison Pipeline. Recommendation Area 3 called on King County and its

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19 partners to support preventative practices and programs that reduce the
20 likelihood of contact with the juvenile justice system and the reduction in
21 the use of, and move toward eliminating, detention for nonviolent crimes
22 of youth under age eighteen.

23 4. King County is at the national forefront in reducing the use of secure
24 confinement of juveniles through innovative and collaborative juvenile
25 justice reform delivered in partnership with employees, superior court, the
26 prosecutor's office and local law enforcement, resulting in the reduction of
27 juvenile offender filings by seventy-seven percent between 2000 and
28 2016, and a twenty percent reduction in admissions to secure detention
29 between 2015 and 2016. King County makes substantial financial
30 investments in services aimed at preventing children and youth
31 involvement in the juvenile justice system, as well as investments with the
32 goal of reducing disproportionality within this system.

33 5. Since 1998, the King County superior court, prosecuting attorney and
34 office of public defense have collaborated with the executive and the
35 council on developing and implementing policies that have a demonstrable
36 impact on reducing use of secure detention for children.

37 6. In August 2012, King County voters approved a nine-year property tax
38 levy lid lift with revenue to be used for juvenile justice and family law
39 services capital projects, including replacing the existing youth services
40 courthouse and detention facility.

41 7. In November 2015, King County voters approved the Best Starts for
42 Kids property tax levy lid lift, which will raise approximately \$400 million
43 in revenues over the six-year levy period to support the healthy
44 development of children and youth, families and communities across the
45 county. The Best Starts for Kids Implementation Plan was approved by
46 Ordinance 18373 and includes strategies and programs geared toward
47 early intervention and prevention for children, youth, families and
48 communities in King County, as well as a strategy area on stopping the
49 school-to-prison pipeline.

50 8. In July 2015, King County formed the juvenile justice equity steering
51 committee and charged it with recommending solutions to a growing
52 racial disparity in the regional juvenile justice system.

53 9. Research shows that secure confinement has negative consequences for
54 youth and that a high percentage of youth who enter the juvenile justice
55 system have experienced trauma.

56 10. King County's road map to zero detention necessitates that the county
57 continue to consider and implement less restrictive alternatives to
58 detention and incarceration whenever possible.

59 11. King County has made significant investments aimed at mitigating the
60 impacts of trauma on children, youth, young adults and families, as well as
61 on preventing, intervening early and supporting individuals who might be
62 diagnosed with a behavioral health condition.

63 12. King County is dedicated to developing and implementing a holistic,
64 trauma informed juvenile justice system that reduces recidivism, improves
65 health outcomes and facilitates community transitions, which might be
66 achieved through delivering juvenile detention services through public
67 health approach where the behavioral and emotional needs of youth who
68 are detained or at-risk of justice system involvement are met in a
69 developmentally appropriate fashion.

70 13. Recommendations to help King County achieve a holistic, trauma-
71 informed juvenile justice system come from a variety of juvenile justice
72 system and behavioral and physical health, subject matter experts and
73 community members with lived experience, and the opportunity exists to
74 incorporate recommendations from a number of sources, including but not
75 limited to the juvenile justice equity steering committee and juvenile
76 justice system and behavioral and physical health consultants engaged by
77 the county.

78 14. The Working to Reduce the Use of Secure Confinement: A Review of
79 King County's Children and Family Justice Center report, published
80 August 17, 2017, includes a recognition of timeline challenges, contractual
81 commitments, the importance of collaboration between stakeholders,
82 including communities most impacted by secure detention of youth, and
83 the complexity of moving toward a goal of zero youth detention without
84 compromising shared societal values.

15. The opportunity now exists to incorporate recommendations from the report as King County continues to work toward replacing the existing youth services courthouse and detention facility and recommendations from other juvenile justice subject matter experts.

16. It is imperative to align the facility's goals, structure and planned programming with the most up-to-date research findings and best practices.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A. The Working to Reduce the Use of Secure Confinement: A

Review of King County's Children and Family Justice Center report, Attachment A to this ordinance, is hereby adopted as policy guidance for the implementation of adopted policies and county goals as related to juvenile justice reform.

B. In the implementation of this policy guidance:

1. The executive shall implement those guiding, architectural and program recommendations in the report that are consistent with state law and are reasonably within the county's ability, authority and available resources to enact;

2. To the extent that actions by the superior court, public defender or prosecuting attorney of King County are necessary for the implementation of the recommendations in the report, the court, public defender and prosecuting attorney are requested to work with the executive to implement action as appropriate; and

3. The executive, court, public defender and prosecuting attorney are encouraged to consult additional reports, such as the August 2017 Juvenile Justice Equity Steering Committee final report, which can contribute to the achievement of the

108 reduction of the use of secure confinement for children and youth in King County.

109 C. The executive, court, public defender and prosecuting attorney may also
110 identify and implement additional or alternative measures in lieu of any of the
111 recommendations of this policy guidance to achieve similar results.

112 D. 1. The executive shall convene an interbranch work group to collaborate on
113 and coordinate the implementation of this policy guidance;

114 2. The work group shall, at a minimum, include representatives of the
115 following:

- 116 a. the executive;
- 117 b. the department of public health;
- 118 c. the department of community and human services;
- 119 d. the department of adult and juvenile detention;
- 120 e. the facilities management division;
- 121 f. the department of public defense;
- 122 g. the superior court;
- 123 h. the prosecuting attorney's office;
- 124 i. the office of performance, strategy and budget; and
- 125 j. the council.

126 E. This policy guidance is a general statement of county policy that cannot form
127 the basis for a private right of action. Nothing in this ordinance is intended to be nor
128 shall be construed to create or form the basis for any liability on the part of King County,
129 or its officers or agents, for any injury or damage resulting from or by reason of any act
130 or omission in connection with the implementation or enforcement of this ordinance on

131 the part of King County by its officers, employees or agents.

132 SECTION 2. A. Beginning no later than June 30, 2018, the executive shall

133 report on the implementation of the policy guidance.

134 B. The report shall include:

135 1. Actions taken to implement the policy guidance, including a summary of how
136 each action advances policies and goals;

137 2. An accounting of the implementation to date of the recommendations of the
138 Working to Reduce the Use of Secure Confinement: A Review of King County's
139 Children and Family Justice Center report and the rationale for alternative measures taken
140 in lieu or in addition to the report's recommendations; and

141 3. Recommendations by the interbranch work group created in Section 1 of this
142 ordinance, for changes to county operations, functions, structures including an
143 assessment of the feasibility of establishing a county business unit with a focus on
144 children and youth services, or policies that could advance this policy guidance.
145 Recommendations should also include any legislation necessary to implement the
146 recommendations.

147 C. The executive shall report progress to the council annually until June 30,
148 2022.

149 D. The reports required by this ordinance shall be in the form of a paper original
150 and an electronic copy to the clerk of the council, who shall retain the original and
151 provide an electronic copy to all councilmembers, the council chief of staff, the policy
152 staff director, and the lead staff for the law and justice committee, or its successor."

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154 **EFFECT: Provides clarification about the roles and responsibilities of the Executive**
155 **and Council in responding to the recommendations in the attached report.**

12/11/17

Balducci s-Amd 1 to S1

[jr]

Sponsor: Balducci

Proposed No.: 2017-0401

1 **AMENDMENT TO STRIKING AMENDMENT S1 TO PROPOSED ORDINANCE**

2 **2017-0401, VERSION 1**

3 On page 2, after line 36, insert:

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

13 Renumber the remaining subsections consecutively and correct any internal references
14 accordingly.

15 **EFFECT: Includes reference to Juvenile Detention Alternatives Initiative.**

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3 "AN ORDINANCE related to juvenile detention;
4 establishing policy guidance for the implementation of
5 county policies and goals to reduce the use of secure
6 confinement for children and youth in King County."

RD: \rightarrow carries