



## Washington State Joint Legislative Task Force on Jail Standards

### MEETING MINUTES

October 4, 2023 3:00 – 5:00 p.m.

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| <b>1.</b> | <b>Welcome</b> <ul style="list-style-type: none"><li>• Co-chair Ethan Frenchman welcomed Task Force members to the thirteenth meeting of the Joint Legislative Task Force on Jail Standards.</li><li>• Ethan Frenchman reviewed the agenda. The task force adopted the agenda for the October 4 meeting.</li><li>• Ethan Frenchman reviewed the September meeting minutes. The task force approved the minutes.</li><li>• Establishment of quorum. See list below.</li></ul>  |
| <b>2</b>  | <b>Public Comment Period</b> <ul style="list-style-type: none"><li>• No members of the public in attendance provided a comment.</li></ul>   |
| <b>3.</b> | <b>Policy Recommendation Discussion Part One</b> <p>Co-chair Devon Schrum facilitated the group as they reviewed a set of draft potential recommendations focusing on those that had substantial edits or revisions from the September 6 meeting. Devon read through the revised draft recommendations, pausing after each, to allow task force members to provide further feedback on whether or not the recommendation can move forward as is or to provide suggestions on how to improve the recommendation. The bulleted items under each draft recommendation (italicized below) reflect key points made during the discussion of each item.</p> <p><i>Oversight Authority</i></p> <p><i>The Oversight Agency should have the authority to petition the Superior Court for an order of partial or full closure of a jail. The orders of partial or full facility closures must be considered if the Oversight Agency determines that a jail is in noncompliance with jail standards and the conditions or operations jeopardize the safety or health of the individuals who are incarcerated or staff in the facility. The jail should work collaboratively with criminal justice system stakeholders to develop policies and procedures to identify and release individuals found suitable for supervised or unsupervised release. Remaining confined individuals will be transported to a suitable available jail or jails. All such expenses will be paid by the transferring government entity.</i></p> <ul style="list-style-type: none"><li>• Suggestion to add language that the Agency should petition the Superior Court for a closure of a jail only after the Agency has exhausted other options.</li></ul> |

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|                  | <ul style="list-style-type: none"> <li>Concerns that the last three sentences were too prescriptive and suggestions to strike those from the recommendation.</li> </ul> <p><i>The Oversight Agency should have the authority to establish 1) maximum population capacities for each city, county, and regional jail; and 2) maximum safe staffing ratios of incarcerated individuals to custodial, mental health, and medical staff, for each city, county, and regional jail. The Oversight Agency should be authorized to petition the Superior Court for an order authorizing the release or transfer of incarcerated persons to a suitable available jail or jails upon determination that the jail has exceeded its maximum capacity or safe staffing levels. All such expenses will be paid for by the transferring entity.</i></p> <ul style="list-style-type: none"> <li>Suggested edit to staffing ratios to add clarity to the recommendations, and add language that the Agency should petition the Superior Court for orders of release of individuals in custody only after the Agency has exhausted other options.</li> </ul> <p><i>Ongoing Oversight Functions and Features</i><br/> <i>Systemic Issues - The Oversight Agency will focus on systemic issues, and should not be required to respond to individual complaints from incarcerated individuals, staff, or the public.</i></p> <ul style="list-style-type: none"> <li>Suggestion to edit language to add discretion to address individual complaints.</li> </ul> <p><i>Jail Safety-Related Grant Funding – The Oversight Agency may be invited by the Legislature to provide comment on any state jail construction, renovation, and safety-related grant funding. Any funding appropriated by the Legislature for the renovation or construction of city, county, or regional jails must be tied to meeting or exceeding the established minimum standards. The Oversight Agency will not be involved with the distribution of grant funding to city, county, or regional jails.</i></p> <ul style="list-style-type: none"> <li>The group agreed to strike this recommendation for the voting meeting.</li> </ul> |
| <p><b>4.</b></p> | <p><b>10 Minute Break</b></p>  |
| <p><b>5.</b></p> | <p><b>Policy Recommendation Discussion Part Two</b><br/>         Co-Chair Ethan Frenchman facilitated the rest of the review of the draft potential recommendations.</p> <p><i>Coordinating Statewide Efforts on Correctional Conditions</i><br/> <i>Unexpected fatality reviews teams, authorized by RCW 70.48.510, should be required to include a representative from the Oversight Agency. The Oversight Agency’s annual report to the Legislature should include an update on the Agency’s involvement with jail unexpected fatality investigations and recommendations, including any legislation the Oversight Agency recommends.</i></p> <ul style="list-style-type: none"> <li>Suggestion to strike language after the first sentence.</li> </ul> <p><i>Jail Executive Leadership Training</i></p>  |

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|                  | <p><i>Individuals who direct or administer a city, county, or regional jail should be required to complete executive-level training that covers budget management and strategic planning, workforce development, institutional culture, jail classification, discipline, grievance systems, uses of force, unexpected fatality reviews, detox, and other aspects of jail conditions and operations.</i></p> <ul style="list-style-type: none"> <li>• Suggestions to add contracting, health care administration, sanitation, and crisis de-escalation to required training.</li> </ul> <p><i>Expanding ADA accessibility in jail telecommunications</i><br/> <i>The Legislature should appropriate funding to provide grants to assist city, county, and regional jails purchase ADA accessible communication services.</i></p> <ul style="list-style-type: none"> <li>• The group agreed to strike this recommendation for the voting meeting.</li> </ul> <p><i>Ensuring In-Person Visitation</i><br/> <i>To improve compliance with jail rules and reentry into the community, require all jails to provide opportunities for free in-person visitation, and prohibit new contracts for emerging forms of telecommunications from supplanting in-person visitation at city, county, and regional jails. Existing jails that were constructed without in-person visitation space will not be held to this requirement.</i></p> <ul style="list-style-type: none"> <li>• Suggestion to add that visitation should be consistent with public health requirements and to clarify the word “supplanting.”</li> </ul> |
| <p><b>6.</b></p> | <p><b>Next Steps and Closing</b></p> <ul style="list-style-type: none"> <li>• Final deadline to submit potential edits and amendments to the recommendations is on Tuesday, October 10, 2023. Revised recommendations reflecting today’s meeting will be circulated for review.</li> <li>• Next meeting will be on Wednesday, October 18, 2023.</li> </ul>  |

| Name                 | Task Force Affiliation   | Organization                  | Present |
|----------------------|--|-------------------------------|---------|
| Rep. Darya Farivar   | House of Representatives   | Washington State Legislature  | Yes     |
| Rep. Greg Cheney     | House of Representatives   | Washington State Legislature  | No      |
| Sen. Nikki Torres    | Senate   | Washington State Legislature  | Yes     |
| Sen. Rebecca Saldaña | Senate   | Washington State Legislature  | Yes     |
| Chanel Rhymes        | Entities involved with or interested in the operation of local jails | Northwest Community Bail Fund | Yes     |
| Christopher Swaby    | Defense attorneys  | The Swaby Law Firm            | No      |

Draft pending approval of task force

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|------------------------|---|--|-----|
| Devon Schrum           | Jail administrators                             | Washington Association of Sheriffs and Police Chiefs | Yes |
| Eliana Macias          | Cities  | Yakima City Councilmember                            | No  |
| Ethan Frenchman        | State designated protection and advocacy agency | Disability Rights Washington                         | Yes |
| Hailey Ockinga         | Persons with lived experience                   | Beyond These Walls                                   | Yes |
| Judge Jeffrey Smith    | District and municipal courts                   | Spokane County District Court                        | No  |
| Jordan Landry          | Persons with lived experience                   | Community Representative                             | Yes |
| Laurel Jones           | Statewide civil legal aid organization          | Columbia Legal Services                              | Yes |
| Lisa Janicki           | Counties  | Skagit County Commissioner                           | Yes |
| Dr. Marc Stern         | Medical and mental health providers             | University of Washington, School of Public Health    | Yes |
| Norma Tillotson        | Prosecutors                                     | Washington Association of Prosecuting Attorneys      | No  |
| Judge Sharonda Amamilo | Superior courts                                 | Thurston County Superior Court                       | Yes |
| Chief Wendy Jones      | Law enforcement                                 | Whatcom County Sheriff's Office                      | Yes |