

JOINT LEGISLATIVE TASK FORCE ON JAIL STANDARDS DECEMBER 1, 2023



**Washington State
Attorney General's Office**

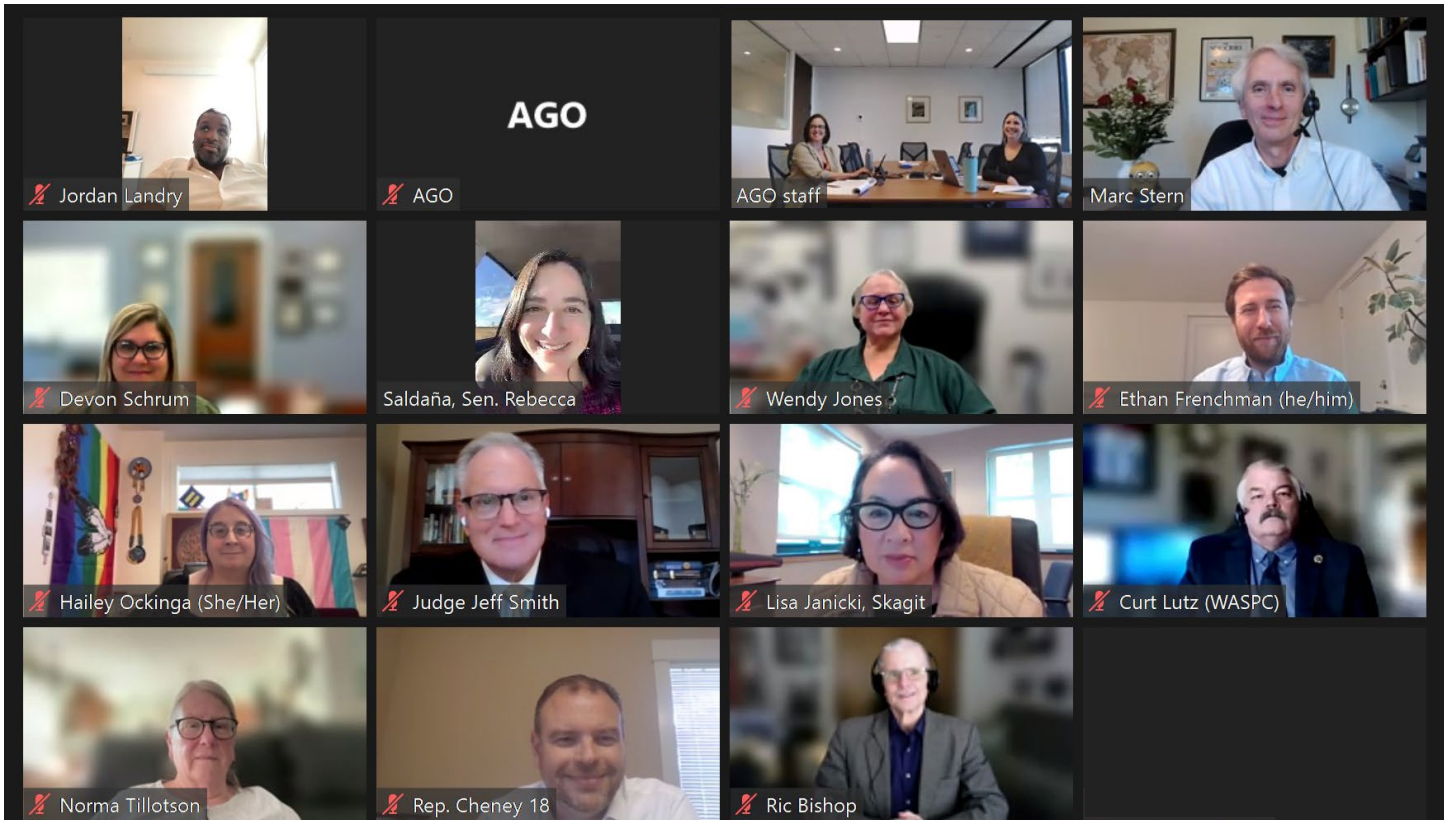
This document is the report to the Washington State Legislature as directed by the 2021 Legislative Operating Budget, codified in RCW 70.48.801.

Contents

Task Force Members and Affiliation	2
Appreciation	2
Executive Summary	3
Activities of the Task Force	5
<i>Full Task Force Meeting Schedule</i>	5
Exploring Jail Conditions & Key Issues	6
<i>Jail Populations in Washington</i>	6
<i>Health Care Services</i>	8
<i>Use of Force and Assaults</i>	12
<i>Telecommunications</i>	14
<i>Visitation</i>	15
<i>Leadership Training</i>	16
Jail Standards and Oversight	17
<i>Current Jail Oversight Bodies in the United States</i>	18
Task Force Recommendations	21
Appendix I – Jail Standards Proviso	26
Appendix II – Status of Operating Jail Standards in Washington State	28
Endnotes	30

Task Force Members and Affiliation

- Sen. Rebecca Saldaña, Washington State Legislature, Chair
- Devon Schrum, Jail Administrators, Co-Chair
- Ethan Frenchman, State Designated Protection and Advocacy Organization, Co-Chair
- Hailey Ockinga, Persons with Lived Experience, Co-Chair
- Rep. Darya Farivar, Washington State Legislature
- Rep. Greg Cheney, Washington State Legislature
- Sen. Nikki Torres, Washington State Legislature
- Chanel Rhymes, Other Entities Involved/Interested in Jail Conditions
- Christopher Swaby, Defense Attorneys
- Eliana Macias, Cities
- Judge Jeffrey Smith, District and Municipal Courts
- Jordan Landry, Persons with Lived Experience
- Laurel Jones, Civil Legal Aid Organization
- Lisa Janicki, Counties
- Dr. Marc Stern, Medical and Mental Health Providers
- Norma Tillotson, Prosecutors
- Judge Sharonda Amamilo, Superior Courts
- Chief Wendy Jones, Law Enforcement



Task Force Members and Staff at October 18, 2023 meeting.

Appreciation

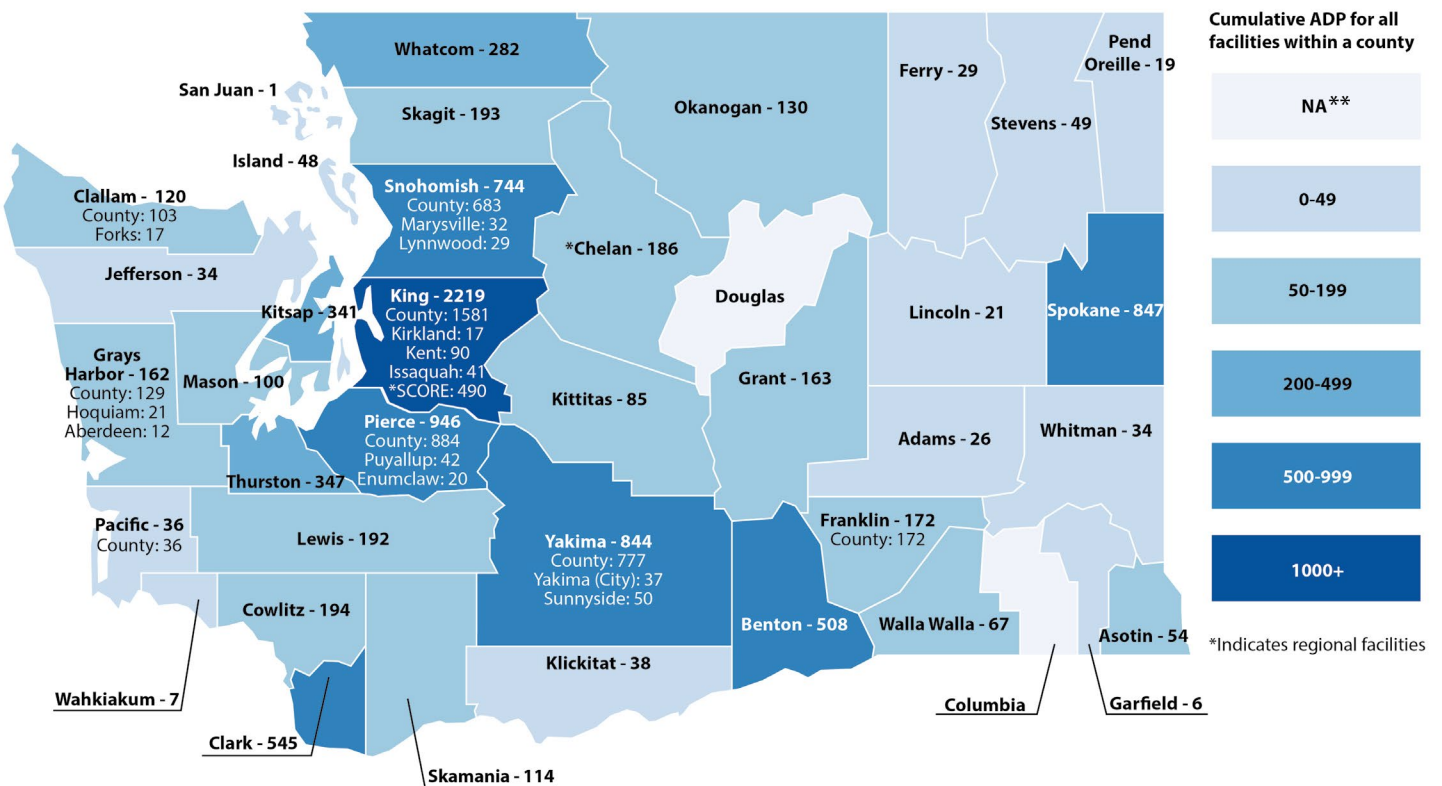
The Task Force cannot overstate its appreciation to community members who spoke at public comment sessions, joined the subgroup meetings to share their experience, and lent their voices and expertise to the work of the Task Force to create meaningful change in our jails.

Executive Summary

The Legislature established the 18-member multidisciplinary Washington State Joint Legislative Task Force on Jail Standards to make recommendations on 1) the establishment of statewide minimum jail standards, oversight, or other policy changes to ensure jail conditions meet state and federal constitutional and statutory standards and include adequate safety and welfare safeguards for incarcerated persons and staff; and 2) the restoration of a statewide authority to set mandatory minimum jail standards and conduct inspections of jails for compliance and enforcement of those standards.

Over the course of thirteen meetings, the Task Force learned from experts in jail operations, conditions, standards and oversight. To gather up-to-date information, the Task Force surveyed non-tribal jails in partnership with the Washington Association of Sheriffs and Police Chiefs (WASPC). Eighty percent of jails responded to the survey. Additionally, to see jail conditions firsthand, the Task Force toured three jails, the South Correctional Entity (SCORE) Jail, the downtown Spokane County Jail, and the King County Jail in downtown Seattle. To include more perspectives and center those most directly impacted by the work, the Task Force proactively engaged with individuals who have experienced incarceration and jail staff.

Average Daily Population (ADP) across City, County, and Regional Jails
2017-2022



**There are no city, county, or regional jails operating in Columbia and Douglas Counties.

The complete recommendations as voted on by the Task Force are provided on page 21. A brief summary is provided below.

Creation of Independent Oversight Agency with Authority to Promulgate, Revise and Enforce Standards

The Task Force recommends establishing an Independent Agency to create and revise mandatory standards and provide ongoing oversight of city, county, and regional jails. The Task Force recommends that the Oversight Agency be overseen by a Board or Commission made up of a range of stakeholders appointed by the Governor.

The Task Force identified a number of duties the Oversight Agency should perform, including:

- Providing technical assistance to help jails achieve compliance with standards;
- Monitoring jails at least annually for compliance with standards through unaccompanied access to all areas of a jail;
- Communicating confidentially with individuals experiencing incarceration and jail staff;
- Working with jails to address areas of noncompliance within a defined, reasonable period of time;
- Petitioning the Superior Court for partial or full facility closures after exhausting other options when conditions jeopardize the safety or health of individuals experiencing incarceration or staff; and
- Collecting standardized jail data.

Additional Policy Recommendations

The Task Force made a number of additional policy recommendations, including:

- Requiring individuals who direct or administer a city, county, or regional jail to complete executive-level training;
- Requiring city, county, and regional jails to provide people who are incarcerated with access to a free and confidential suicide prevention hotline, and to post suicide prevention resources and information on their public website;
- Requiring newly constructed city, county, or regional jails to be equipped with suicide-resistant cells;
- Requesting that the Legislature prioritize the development and funding of mental health crisis response and pre-arrest and pre-prosecution programs to serve as alternatives to incarceration;
- Requiring city, county, and regional jails to provide telephone or other communication, such as video calls, to people who are incarcerated free of charge, for a minimum of 90 minutes per day. Beyond the 90 minutes provided free, any rates charged for subsequent calls or videos must be capped at \$0.05 per minute with no additional fees;
- Requiring all city, county, and regional jails, regardless of size, to provide free communication services for deaf and hard of hearing individuals;
- Requiring all city, county, and regional jails to provide opportunities for free, in-person visitation; and
- Requiring any newly constructed city, county or regional jail facilities to provide space for in-person, contact, and child-friendly visitation.

Activities of the Task Force

In response to a budget proviso, codified in [RCW 70.48.801](#), the Attorney General’s Office (AGO) convened the Joint Legislative Task Force on Jail Standards, which was tasked with developing recommendations on whether or not the state should:

- Adopt mandatory minimum standards for jails;
- Restore an oversight body with the authority to monitor jails for compliance with standards; and
- Enact other policy changes to ensure jail conditions meet state and federal constitutional and statutory standards and include adequate safety and welfare safeguards for incarcerated persons and staff.

In June 2022, the Speaker of the House and President of the Senate appointed 18 members – four representing the Legislature, two persons with lived experience, as well as one representative each for prosecutors, defense attorneys, law enforcement, counties, cities, jail administrators, superior courts, district and municipal courts, a state designated protection and advocacy agency,¹ medical and mental health service providers, a statewide civil legal aid organization, and other entities involved with or interested in the operation of local jails.

The Joint Legislative Task Force on Jail Standards convened a series of public meetings from August 2022 to October 2023. Meetings included presentations from those with experience and expertise, staff briefings, information sharing and discussion.

Full Task Force Meeting Schedule

- August 2022 – Introduction to the Jail Standards Task Force
- September 2022 – Introduction to Jail Standards and Oversight
- October 2022 – Jail Standards and Oversight
- November and December 2022 – Jail Health Services
- January 2023 – Jail Standards and Oversight
- February 2023 – Use of Force and Use of Solitary Confinement
- March 2023 – Sexual Assault and In-Custody Deaths
- April 2023 – Telecommunications and Visitation: Impacts on Friends and Family
- May 2023 – Jail Standards and Oversight
- July 2023 – Results of Comparative Jail Survey
- September and October 2023 – Discussion of Prospective Proposals
- October 2023 – Voting on Recommendations

Task Force members and non-member stakeholders also worked together in subgroup meetings in June, July and August 2023 for more in-depth review of the comparative jail survey and to draft potential proposals on jail standards and oversight to inform the broader Task Force’s work and discussions.

With support from WASPC, the Task Force surveyed and gathered information from non-tribal jails. Eighty percent of jails responded to the survey. The survey questions and responses from each jail are available at https://agportal-s3bucket.s3.us-west-2.amazonaws.com/uploadedfiles/2023%20WA%20State_Comparative%20Jail%20Survey_Jail%27s%20Responses.xlsm?VersionId=ouyIgUFzxDxRSMcfcHB_FqMqud4hCdx. (Link may not work in all browsers.) The Task Force also toured three jails, the regional SCORE jail in Des Moines, the Spokane County Jail, and the King County Jail in downtown Seattle. Task Force staff also toured the Skagit County Jail.

Exploring Jail Conditions & Key Issues

According to national experts, jails are not uniform; they vary in design and size, and operate with differing levels of resources and programming. Within one jail, population size and staffing levels can fluctuate over time creating challenges in managing operations. Staff control many aspects of life for individuals experiencing incarceration and operate in spaces in which the rest of the community cannot access.² Across the U.S. and in Washington, these challenges can lead to conditions that are unsafe, including overcrowding, improper sanitation, limited medical care, and poorly resourced and trained staff.³

In most states, local governments are responsible for managing jails and rely on local taxes for funding resource needs.⁴ In 2021, local spending on jails topped \$25 billion nationwide.⁵ Ninety percent of jails that responded to the Task Force’s survey provided a copy of a local operating budget. However, jails reported on their budgets in a variety of ways, making it difficult to make comparisons about local levels of spending.

Jail Populations in Washington

There are 50 non-tribal, adult jails in Washington, including 36 county, 12 city, and two multi-jurisdictional jails.⁶ The 40 jails that responded to the Task Force’s survey employ nearly 3,000 Washingtonians.⁷ In 2022, jails reported 131,295 bookings, and on average, detained 8,265 people per day.⁸

Prior to the pandemic, the jail population in Washington increased 362 percent since the 1970s.⁹ Washington’s overall population during the same period increased 107 percent.¹⁰ According to the Washington Race and Criminal Justice Task Force, one factor contributing to the growth in the jail population is increased reliance on pretrial detention.¹¹ Up to 77 percent of the people in Washington jails are being held pre-trial, meaning they have not been convicted of a crime.¹² One study in Washington found that 58 percent of adults booked into jail had mental health treatment needs, 61 percent had substance use disorder treatment needs, and 41 percent had multiple disorders.¹³

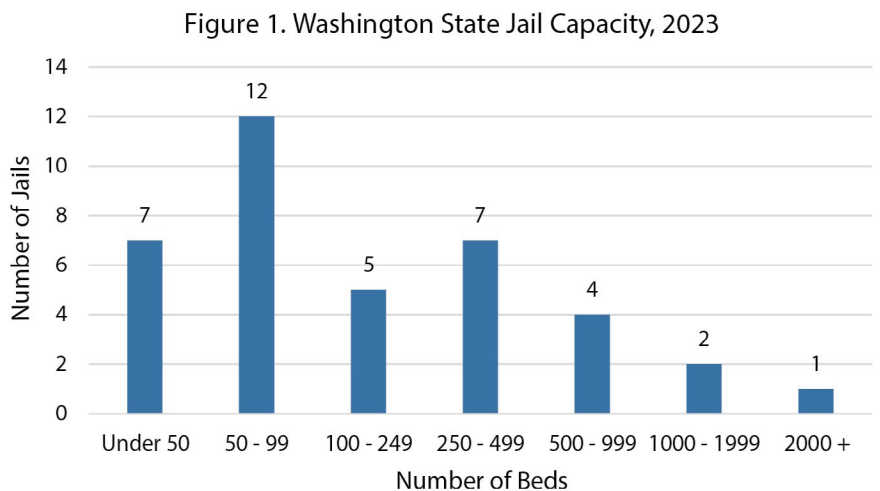
Table 1 below outlines the average daily population (ADP) in Washington jails between 2016 and 2022. Jails voluntarily reported this information to WASPC between 2016 and 2021 and to the Task Force in 2022. Over the years, not all jails participated in WASPC’s data collection, which makes examining ADP and other jail population trends challenging. Between 2016 and 2022, on average, four facilities did not report.¹⁴

2016	2017	2018	2019	2020	2021	2022
12,013	9,905	12,262	9,267	8,094	7,547	8,265

Jail Capacity

Across the jails that provided information, the state’s overall jail bed capacity is 13,859 beds. Thirty-one, or 78 percent of the jails that responded, have fewer than 499 beds. Nearly half of the jails have fewer than 99 beds.

Wahkiakum reported the fewest number of beds, 12. King County reported the largest number of beds, 2,906. Figure 1 breaks down Washington’s jail capacity by facility size.



Jail Designs

The majority of jails in Washington have multiple types of cells to house individuals (i.e., single-cell, double occupancy, multiple occupancy, and dormitory).¹⁵ Table 2 breaks down the ranges of reported square footage of living spaces. When surveyed by the Task Force, many jails noted challenges in reporting the square footage size of the living areas within the facility. Some noted that the square footage varies across the facility; others noted challenges in calculating square footage. As a result, it is hard to draw conclusions regarding the amount of space individuals have to live in.

Table 2. Range of Reported Square Footage of Living Spaces in Washington Jails, 2021

Single-Cell	Double Occupancy	Multiple Occupancy	Dormitory
32 - 144	15 - 196	15 - 196	17.5 - 1,225

Jails have different supervision needs depending on the security level of the facility. When surveyed by the Task Force, the majority of jails reported housing individuals of all three security types, minimum, medium, and maximum. The design of the physical plant also has implications for the method of supervision used within the facility. Figures 2 and 3 below outline defining features related to each security classification and supervision type.

Figure 2. Security Classifications

Classification	Defining features
Minimum	People are eligible for dormitory and multiple occupancy housing, worker status, all programs and privileges, and commissary.
Medium	People are eligible for dormitory and multiple occupancy housing and one- or two-person cells with a shared dayroom, all programs, and commissary.
Maximum	People live in one-person cells with limited access to the dayroom in small groups or individually. Limited access to commissary and no TV.
Source: King County Auditor's Office – <i>Adult Jails Need Risk Based Approach to Improve Safety, Equity.</i>	

Figure 3. Supervision Types

Supervision Type	Defining Features
Linear Intermittent Supervision	Cells are along a corridor. Correctional officers walk along corridor to perform supervision.
Podular Indirect Supervision	Cells are around a common day area. The correctional officer's station is separate from the housing area, and officers supervise individuals via video and walking along cells.
Podular Direct Supervision	Cells are around a common day area. The correctional officer's station is within the housing area, and officers supervise individuals through constant and direct contact.
Source: National Institute of Corrections – <i>Direct Supervision Jails 2006 Sourcebook</i>	

In Washington, the majority of jails reported facilities with both Linear Intermittent Supervision and Podular Indirect Supervision styles. Twelve jails reported facilities with a combination of Podular Direct Supervision and either Linear Intermittent or Podular Indirect. Two jails reported only Podular Direct Supervision type.

There are limitations associated with Linear Intermittent and Podular Indirect designs. For example, Linear Intermittent Supervision only allows officers to see into one cell at a time, leaving all other cells unsupervised. Podular Indirect Supervision provides officers with better supervision of the dayroom from their station; however, officers have limited visibility into other parts of the housing areas and often have blind spots. In the 1980s a new model emerged, the Podular Direct Supervision model. This model places officers within the housing unit, interacting with individuals, and allowing officers to make better connections with individuals experiencing incarceration.¹⁶

Of the 12 jails that reported Podular Direct Supervision types, only one was constructed before 1980.

Thirty-one jails, or 62 percent of facilities in Washington, were constructed over 30 years ago. The Ferry County jail, built in 1939, was last renovated in 1970. There are also new facilities in the state. Marysville completed a new 96-bed facility in May 2022. There is ongoing construction for a new Lynnwood City Jail, which will open in 2024. Asotin County is also beginning construction on a new facility, set to open in 2024. Prior to these new facilities, Skagit County’s jail was the newest facility in the state, built in 2017.

Jail Staffing

The National Institute of Correction notes that there are too many variables within a jail – such as the jail’s physical design, the level of security, programs and activities, state and local statutes – to recommend specific custody staffing ratios that apply across facilities. Rather, adequate staffing ratios for jails should be tailored to each facility.¹⁷

When surveyed by the Task Force in April 2023, Washington jails reported that 2,972 people were currently working in a jail. Of the nearly 3,000 people, 80 percent were custody staff, including corrections officers, sergeants, and captains. The Garfield County jail reported no custody staff; rather, police deputies and dispatch staff oversee the jail.¹⁸

At the time of the survey, across the state, jails reported 20 percent of custody positions were vacant. Two jails, Ferry County and Lynnwood, reported 50 percent vacancy rates in custody staffing levels. Figure 4 below breaks down jails that reported custody staffing vacancies of at least 20 percent.

Figure 4. Washington Jails with Vacant Custody Positions of 20 Percent or More	
<ul style="list-style-type: none">• Ferry County and City of Lynnwood – 50%• Jefferson County – 38%• Stevens County – 31%• City of Puyallup – 29%• Skagit County – 28%	<ul style="list-style-type: none">• Grant County – 25%• Clallam County – 23%• Franklin, Mason, Snohomish, Pierce Counties – 22%• Skamania County – 21%• Clark and Wahkiakum Counties, City of Yakima – 20%

Health Care Services

There is a lack of uniformity in health care services and treatment options offered to individuals in Washington jails.

The Task Force surveyed jails to gather information on the provision of health care services, including medical, dental, behavioral health, and substance use disorder treatment options.

Medical Services – Of the forty jails that responded to the survey, 85 percent reported providing in-house medical services. The remaining jails responded that they do not provide medical services in-house and rely on transporting individuals to the emergency room or clinic.

Similar to custody staffing levels, there are no established staffing levels for medical services in jails. Across the state, jails that offer medical services reported a wide range of staffing levels. For example, the Whitman County Jail, which had an ADP of 28 in 2022, reported the fewest number of nurse staffing hours, at 0.2 full-time equivalent (FTE) nurses, meaning 8 hours of nursing per week, or approximately 0.29 hours of nursing time per person weekly. In contrast, the King County Jail had an ADP of 1,496.6 in 2022, and reported the highest nurse staffing levels, at 81.6 FTE nurses meaning 3,264 hours of nursing per week, or approximately 2.18 hours of nursing time per person weekly.

Two jails reported that due to lack of 24/7 health care staffing, correctional officers often perform routine care such as dispensing medication, providing evaluations for substance use disorder, and performing basic medical testing like urinalyses.

Dental Services – 82.5 percent of jails reported providing dental services; however, only 23 percent reported offering services on-site. The King County Jail was the only facility that reported having a full-time dentist on staff. Jails that do not provide on-site dental services reported transporting individuals to local clinics or dental offices. In some cases, the clinics serve individuals from the jail before they are open to the public. Two jails noted that there are a limited number of providers willing to take patients from the jail.

Mental Health Treatment – The vast majority of jails, 90 percent, reported providing at least one form of mental health treatment. However, only nine jails, or 22.5 percent, reported providing all four types of mental health services. Medication is the most common form of mental health service provided in jails, with 28 jails reporting this form of treatment. Twenty-seven jails reported providing individual therapy; however, the method and amount of therapy was not defined. Table 3 outlines the reported mental health services offered by jails. Other services that jails reported as mental health treatment included designated crisis responders, re-entry planning, diversion programs, resources and transition planning, case management and substance abuse assessments. Future surveys should define mental health services to ensure consistent reporting across facilities.

Medication	Individual Therapy	Group Therapy	Group Classes or Program	All Four Services	Other
28 jails	27 jails	9 jails	10 jails	9 jails	11 jails

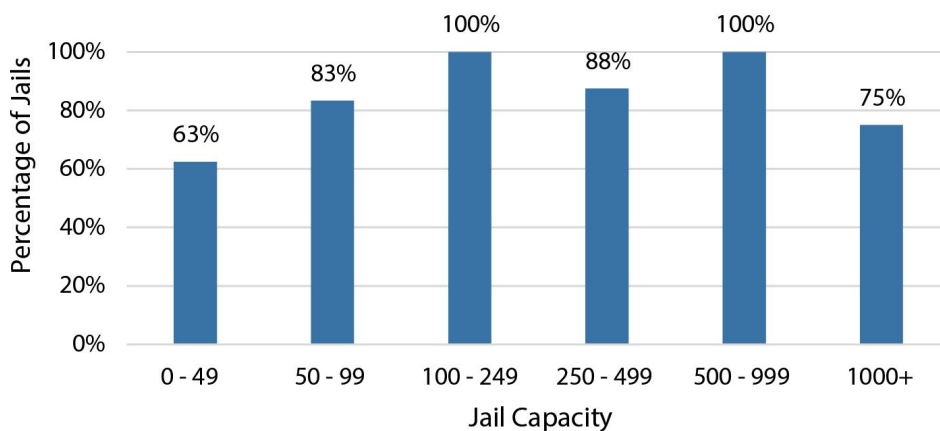
Only half of the jails reported tracking and maintaining the number of individuals who were placed on suicide protection protocols or suicide watch. Suicide prevention and protection protocols can vary across jails, but this generally means moving individuals to designated areas, including suicide-resistant housing, increasing the frequency of monitoring, and limiting individuals’ access to certain items that may be used for self-harm, including sheets and standard clothing. In 2022, at least 3,878 people were placed on suicide protection protocols or watch. This represents approximately 5.58 percent of people admitted to the jails that maintain these records.

Substance Use Disorder Treatment

Screening - A survey conducted by Dr. Marc Stern in 2021 and 2022 explored how jails in Washington provide health services to individuals in custody. The survey found that jails often use corrections officers to deliver medications and conduct medical screenings.¹⁹ Specifically, the survey found that in 30 Washington jails, corrections officers perform an opioid withdrawal screening at booking.

When surveyed by the Task Force, 82.5 percent of jails reported screening all individuals for opioid use disorder as part of the admission process. As shown in Figure 5, all five of the jails designed to house between 100 and 249 people, and the three jails that house between 500 and 999 people reported screening all individuals

Figure 5. Percentage of jails that screen individuals admitted for opioid use disorder, by facility size



admitted to the facility for opioid use disorder. Five of the eight jails designed to house fewer than 50 people reported screening all individuals upon admission.

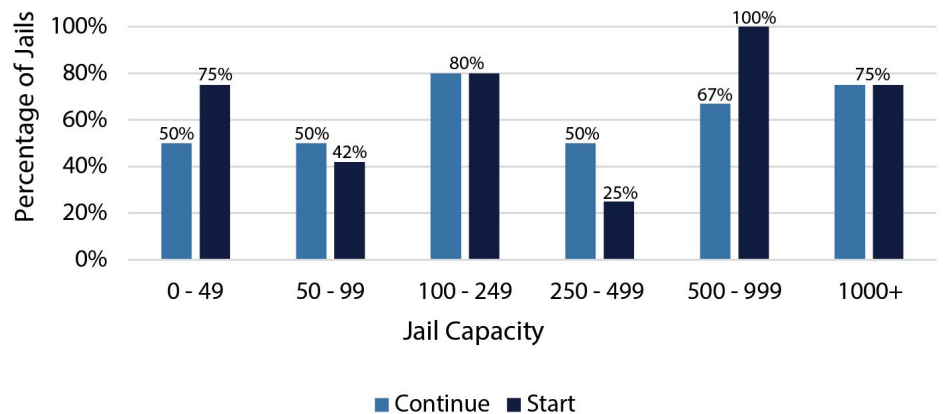
Some jails explained why they do not screen every individual for opioid use disorder. For example, one jail reported that they are unlikely to assess individuals they have previously encountered who do not have a record of having an opioid use disorder. Another jail reported that they screen upon request of the individual.

Continuing & Starting Medications – Despite 82.5 percent of jails screening for opioid use disorder, only 57.5 percent of jails reported continuing the same medication prescribed in the community for all individuals admitted to the jail using medication for opioid use disorder (also known as medication-assisted treatment). More than half, or 57.5 percent of jails, reported starting medications soon after admission for individuals identified as having opioid use disorder, but without a current prescription. Of the jails that reported not continuing all individuals, ten jails noted that while they do prescribe medications for opioid use disorder, sometimes a prescription change is required. Six of these jails specified that they do not continue methadone, four noted there are no clinics nearby.

As shown in Figure 6, 80 percent of the five jails that are designed to house between 100 and 249 people reported continuing all individuals who are admitted to the jail on medications for opioid use disorder. This figure drops to half for jails designed to house fewer than 100 people, as well as those that house between 250 and 499.

Regarding starting individuals on medications for opioid use disorder soon after admission, all three jails designed to house between 500 and 999 people reported doing this. In comparison, two of the eight jails designed to house between 250 and 499 people reported starting individuals on this medication.

Figure 6. Percentage of jails that continue and state individuals on medications for opioid use disorder, by facility size

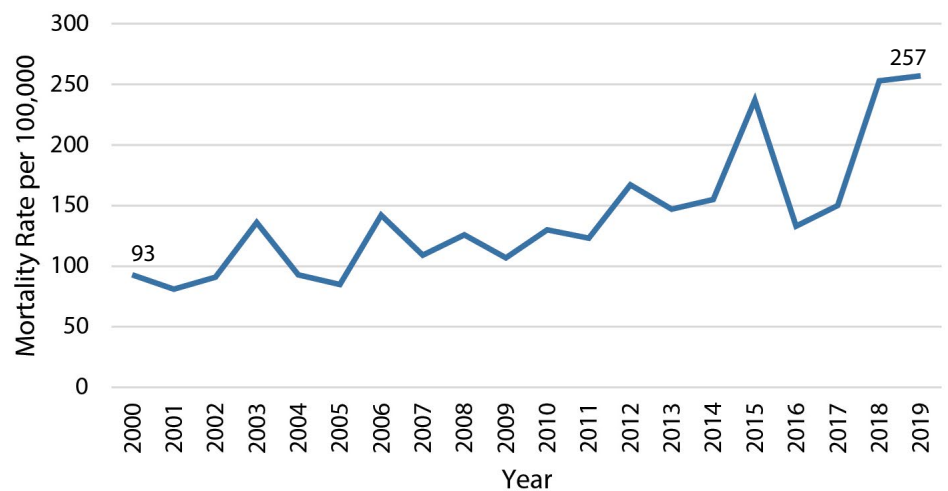


In-Custody Deaths

According to the Bureau of Justice Statistics (BJS) within the U.S. Department of Justice, between 2000 and 2019, the death rate in Washington jails increased approximately 176 percent.²⁰ In contrast, during this period, 18 states saw decreases in overall in-custody death rates; two states experienced increases in death rates greater than Washington's rate.²¹ Figure 7 shows the increase in death rates in Washington's jails over time.²²

Moreover, Washington jails had the fourth highest mortality rate in the United States between 2000

Figure 7. Washington Jail Mortality Rate 2000 - 2019



and 2019, which includes deaths from all causes (e.g., illness, suicide, drug/alcohol intoxication, accidents, homicide, natural causes, etc.).²³

In response to the Task Force’s survey, 39 jails provided in-custody death data between 2018 and 2022. Jails reported that between 2018 and 2022, 124 people died in a Washington jail. Suicide was the leading cause, and contributed to 36 percent of these deaths. General illnesses or natural causes contributed to 35 percent of reported deaths. Table 4 provides a breakdown of the causes of deaths. It is not possible to determine the number of people at risk for suicide in Washington jails, as only half of the jails surveyed reported maintaining records of individuals placed on suicide protection protocols after they were discharged from this status.

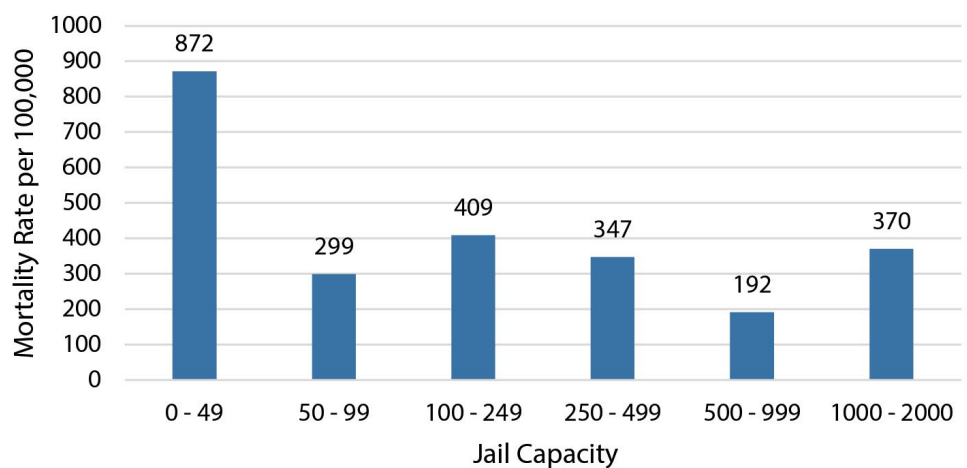
Table 4. Causes of Death					
	2018	2019	2020	2021	2022
Suicide	24%	30%	52%	41%	43%
Cardiac Event	0%	10%	5%	0%	4%
Homicide	3%	0%	0%	0%	0%
Illness “Natural Cause”	36%	37%	33%	47%	22%
Withdrawal or Overdose	12%	23%	10%	6%	17%
Unknown	24%	0%	0%	6%	13%
Total Number of Deaths	33	30	20	17	23

Across Washington, smaller jails reported higher rates of mortality.

The seven small jails in Washington experienced the highest mortality rate, 872 per 100,000, between 2018 and 2022, according to the Task Force’s survey results. Notably, Garfield County, with one death caused by suicide during this period had the highest mortality rate, 4,096 per 100,000; its average daily population is fewer than three people. A single death in a jail the size of Garfield County can have an outsized effect on the data. When Garfield County is removed from the analysis, the mortality rate for jails that house up to 50 people drops to 334 per 100,000. This finding is consistent with national research, which found the highest mortality rate in jails with 49 or fewer individuals from 2000 to 2019.²⁴

The five jails that house between 100 and 249 people had the second highest mortality rate, 409 per 100,000. Figure 8 depicts the average mortality rate between 2018 and 2022 in Washington jails broken down by the average daily population.

Figure 8. 2018 - 2022 Average Mortality Rates in Washington State Jails



Suicide is a particular concern with Washington jails experiencing higher suicide rates than national averages.

Suicides in jails have been a known issue across the county since the 1980s. According to the Marshall Project, one contributing factor is that people in jails are close to the situation that led to their arrest and are experiencing the initial “shocks of confinement.” The Brennan Center for Justice notes that during this period people are cut off from medications, health care, and existing social supports.²⁵ In addition, screening processes during intake may fail to detect people at risk of drug- and alcohol-related deaths.²⁶

Washington jails have higher suicide rates than the national average.²⁷ BJS found from 2000 to 2019, the average suicide rate in local jails across the country was 43 per 100,000 inmates. In contrast, in Washington, the rate was 57 per 100,000.²⁸ During this time period, 27 states had lower suicide rates than Washington, 16 states had higher suicide rates, two states had the same rate as Washington, and six states were not included in the analysis.²⁹ Between 2018 and 2022, approximately 124 people died in a Washington jail. Suicide was the leading cause, contributing to 36 percent of these deaths.³⁰ When Columbia Legal Services analyzed 200 deaths in Washington jails between January 2005 and June 2016, they found that more than 80 percent of jail suicides occurred because of hanging.³¹ Additionally, the report noted that jails’ suicide prevention practices were inadequate. For example, there were not enough staff to adequately monitor people at risk for suicide and isolating potentially suicidal detainees increased their risk of suicide. In addition, the report cited notes design flaws as contributing factors, including cells or other physical structures that enable hanging.³²

Improving information about in-custody deaths

Despite the frequency of in-custody deaths, the data on these deaths is incomplete and dispersed across multiple datasets.³³ To enhance transparency, in 2021, the Legislature passed [RCW 70.48.510](#), which requires jails to conduct a fatality review in any case in which the death of an individual experiencing incarceration is unexpected. An unexpected fatality means a death that was not the result of a diagnosed or documented terminal illness or other debilitating or deteriorating illness or condition where the death was anticipated. The city or county’s department of corrections or chief law enforcement officer convenes the review team and determines the membership. However, by law, the review team cannot include individuals with previous involvement in the case. Jails are required to complete the review within 120 days of the death and issue a report of the results, unless an extension has been granted by the chief executive or the county legislative authority. These reviews must include an analysis of the root causes of the fatality, recommendations made by the review team, and a corrective plan of action for the jail to implement the recommendations. However, jails are not required by law to demonstrate they have implemented the corrective action plan.

The state Department of Health posts completed unexpected fatality review reports online. As of October 19, 2023, there are 22 reports posted to the Department of Health’s website; 14 of which occurred in 2022. When surveyed by the Task Force, jails reported 23 total deaths in 2022. However, it is not known if any jails were granted extensions, nor which deaths were “unexpected.” Accordingly, conclusions cannot be drawn about compliance with the new law.

Use of Force and Assaults

There is limited data available about uses of force, assaults between people who are incarcerated, and assaults on staff in Washington jails.

While several entities collect data on in-custody deaths (e.g., BJS, WASPC, Washington State Department of Health), no state-level or federal-level entities collect and analyze data on the number and rates of uses of force, assaults between people who are incarcerated, or assaults on staff.

Uses of Force - Thirty jails provided data to the Task Force on the use of physical force³⁴ between 2018 and 2022. The intent of this data collection was to capture each instance of force, as opposed to counting incidents, which can involve multiple uses of force. However, at least one jail provided the total number of incidents. Three jails were unable to provide data for 2018 and 2019, as one jail reported having implemented new jail

management systems and two jails reported a change of leadership in 2020.

In 2022, jails reported a total of 3,720 uses of force. In 2022, the four jails that house between 100 and 249 people reported the highest average rate of uses of force, at 81.92 per 100. The four jails that house between 500 and 999 people reported the lowest rate of uses of force, at 27.18 per 100. Figure 9 depicts the reported uses of force between 2018 and 2022, excluding the jail that reported the total number of incidents.

Assaults between People who are Incarcerated - Thirty jails provided the number of assaults between people who are incarcerated between 2018 and 2022. In 2022, jails reported 1,270 assaults between people who are incarcerated. However, King County reported that it implemented a new management system in August 2021, which changed the way it entered and reported assault data, leading to a drop in the number of assaults reported.

Despite this data limitation, King County reported the highest average rate of assaults between people who are incarcerated between 2018 and 2022, 24.64 per 100. Jails that housed between 250 and 499 people reported the second highest average, 17.28 per 100. The 12 jails that housed between 50 and 99 people reported the lowest average, 9.61 per 100. Figure 10 depicts the reported assaults between people who are incarcerated between 2018 and 2022.

Assaults on Staff - Thirty-three jails provided the number of assaults on staff between 2018 and 2022. In 2022, the 13 jails that housed between 50 to 99 people and the four jails that housed between 100 and 249 people reported the highest average rates of assaults against staff, 4.13 per 100 and 4.01 per 100, respectively. As noted above, King County’s change in management system reflects the large drop in the number of assaults reported in 2022. Figure 11 depicts the reported assaults on staff between 2018 and 2022.

Figure 9. Uses of Force in Washington State Jails

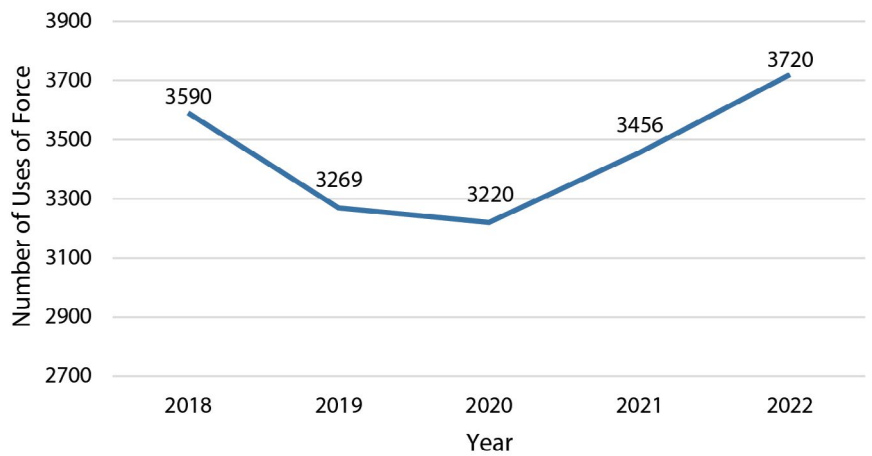


Figure 10. Assaults between Individuals Experiencing Incarceration in Washington State Jails

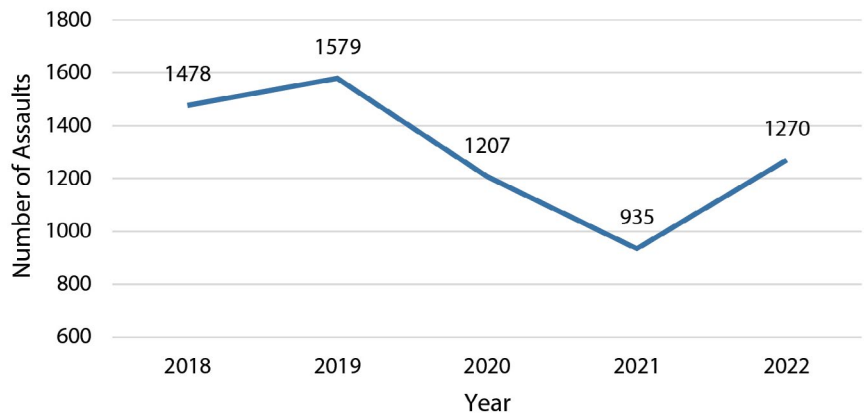
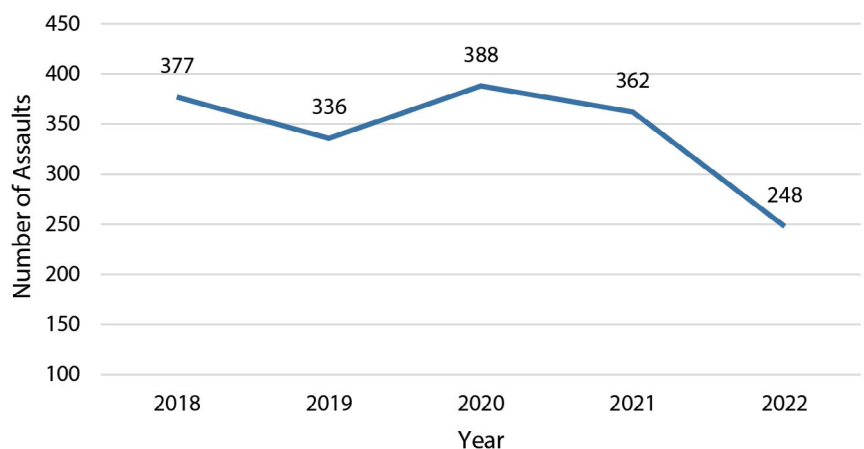


Figure 11. Assaults on Staff in Washington State Jails



Telecommunications

People who are incarcerated and their friends and family face varying telecommunication options and costs that range widely.

In a study conducted across 14 states involving 34 focus groups and surveys of more than 1,000 individuals who experienced incarceration and family members, the Ella Baker Center for Human Rights found that when families are able to maintain connectivity with their incarcerated loved one, more than 1 in 3 three families will go into debt. Moreover, the Center found that women disproportionately bear this financial burden, as they make up 87 percent of family members who are paying for phone calls and visits.³⁵

	Rate Per Minute	Cost for 15 Minutes
Minimum	\$0.05 (3 jails)	\$0.75
Maximum	\$0.48 (1 jail)	\$9.43
Median/Mode	\$0.21 (13 jails)	\$3.15
Average	\$0.20 (6 jails)	\$2.97

Table Note: This may not reflect the full cost of a fifteen-minute call, as the survey did not assess fees. Fees, in addition to the rate charged, may include, but are not limited to, taxes, payment fees, and operator fees.

In 2019, Washington ranked 26th in the nation for the affordability of a 15-minute phone call according to the Prison Policy Initiative.³⁶ The Task Force’s survey found that costs for telecommunications to individuals experiencing incarceration and their friends and family range widely across the state. Only five jails reported providing any amount of free minutes for phone calls each week. These free amounts ranged from receiving 5 minutes to 60 minutes per week.

In 2023, the average price for a 15-minute call was \$2.97. The least expensive 15-minute phone call was \$0.75 while the most expensive 15-minute phone call was \$9.43, a 1,157 percent difference. Similar variation is seen in video call costs, with the least expensive 15-minute video call costing \$1.50 and the most expensive 15-minute video call costing \$9.43. Table 5 provides the range of rates charged, the number of jails that charge that rate, and the cost for a 15-minute phone call.

Since 2016, there have been changes in policy, regulation, and legislation across the United States to cap phone call rates or make communications free in jail and prisons, see Table 6.³⁷

Year	Location & Rate	Applies To:
2016	<ul style="list-style-type: none"> New Jersey (Senate Bill 1880) - \$0.11 per minute & prohibited kickbacks Illinois (House Bill 6200) – \$0.07 per minute 	<ul style="list-style-type: none"> Jails & Prisons Prisons
2018	<ul style="list-style-type: none"> New York, NY – free 21-min phone calls every three hours 	<ul style="list-style-type: none"> Jails
2020	<ul style="list-style-type: none"> Dallas, TX - \$0.01 per minute San Francisco, CA – free phone calls 	<ul style="list-style-type: none"> Jails Jails
2021	<ul style="list-style-type: none"> California - \$0.07 per minute San Diego, CA – unlimited free 15-min phone calls Los Angeles, CA – free phone calls Connecticut (Senate Bill 972) – free phone or video calls, 90 min per day 	<ul style="list-style-type: none"> Jails & Prisons Jails Jails Jails
2022	<ul style="list-style-type: none"> Miami-Dade County, FL – free phone calls, 90 min per day; free video calls, 120 min weekly California (Senate Bill 1008) – unlimited free 15-min phone calls 	<ul style="list-style-type: none"> Jails Prisons
2023	<ul style="list-style-type: none"> Massachusetts – free phone & video calls Minnesota (Senate File 2909) – free phone calls Colorado (House Bill 23-1133) – free phones calls 	<ul style="list-style-type: none"> Jails & Prisons Prisons Prisons

Source: Worth Rises, “Our Campaign Victories.” <https://connectfamiliesnow.com/ourcampaigns>

At the federal level, in January 2023, the Martha Wright-Reed Just and Reasonable Communications Act of 2022 was signed into law. The Act requires the Federal Communications Commission (FCC) to set and ensure just and reasonable charges for any audio or video communication services used by individuals experiencing incarceration in jails and prisons for the purpose of connecting with the community, regardless of the size of the facility or the technology used. This bill expands the FCC’s jurisdiction to regulate not only the costs of calls between states, but also in-state rates. The law requires the FCC to promulgate these regulations within 24 months following the law’s enactment, or January 2025.³⁸

Accessibility in Telecommunications

In 2016, Disability Rights Washington (DRW) toured all of the county jails in Washington and found that none came close to the Department of Justice’s communication accessibility requirements.³⁹ DRW found jails lacking in technologies to allow people who are blind and those with intellectual or cognitive disabilities to be able to communicate effectively both within the facility and with family members in the community. In addition, the majority of jails had outdated text telephone machines, rather than video relay services, which are more commonly used by the Deaf community. Video relay services alone, however, are insufficient, as they do not meet the needs for individuals with other disabilities.⁴⁰ For example, the DOJ’s communication accessibility requirements include but are not limited to:

- Providing qualified readers (i.e., someone who is able to read effectively, accurately, and impartially) or screen reading programs to individuals who are blind, have vision loss, or are deaf-blind;
- Providing a qualified note taker, sign language interpreter, oral interpreter, or tactile interpreter for people who are deaf, have hearing loss, or are deaf-blind; and,
- Providing a qualified speech-to-speech transliterator (i.e., someone trained to recognize unclear speech and repeat it clearly).⁴¹

In 2021, the Clark County jail and the U.S. Department of Justice reached a settlement to ensure equal access to services for persons who are deaf or hard of hearing.⁴² By January 2024, the FCC mandated that all telecommunication providers for jails and prisons must provide access to all relay services, if broadband is available, in jurisdictions with 50 or more people incarcerated.⁴³

Visitation

Research shows that maintaining connectivity with families is critical for those who experience incarceration, as it can reduce both violence within a facility as well as recidivism.⁴⁴ However, a nationally representative survey found that less than a quarter of people with incarcerated family members in jails and prisons are able to visit them.⁴⁵

When the Task Force surveyed jails in Washington State, 72.5 percent of the jails that responded provided free onsite visitation either via phones through a glass partition, or through a video booth/kiosk. Six jails reported not providing any form of visitation, and five jails reported charging for on-site visitation. Some jails may not have resumed in-person visitation after necessary restrictions during the COVID-19 pandemic, despite research that in-person visitation correlates to reduced recidivism, improved mental health, and increased adherence to correctional rules.⁴⁶ After bans on in-person visitation at Iowa Department of Corrections facilities and at two jails in Knox County, Tennessee and Travis County, Texas, assaults and disciplinary infractions increased.⁴⁷ Moreover, the American Correctional Association and the American Bar Association’s standards state that in-person visitation should not be replaced by video visitation.⁴⁸

Leadership Training

The Washington State Legislature currently funds 75% of the costs for new jail employees to attend the Corrections Officer Academy; however, there are no similar resources for leadership in jails.

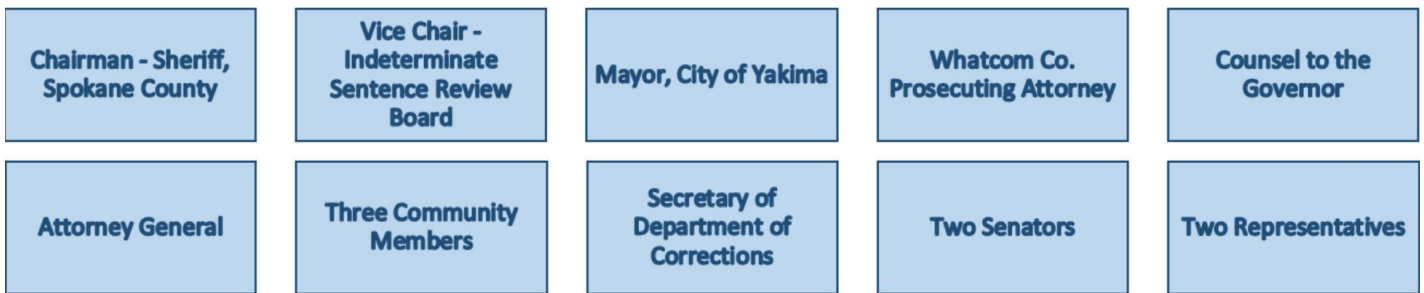
The Task Force also discussed the importance of staff leadership development to improving jail conditions. In *Building a High-Quality Correctional Workforce*, the RAND Corporation and National Institute of Justice note that to be effective, correctional administrators must master a wide-ranging set of skills to run and maintain a 24/7 safe and secure environment for people who are incarcerated, staff, visitors, and volunteers. Among other duties, administrators are tasked with developing staff, setting budgets and priorities, and engaging with external stakeholders, including members of the legislature, advocacy groups, and community organizations. However, the report concluded that the correctional sector overall is falling short in identifying promising staff and preparing them for leadership roles.⁴⁹

Jail Standards and Oversight

History of Jail Standards and Oversight in Washington - Washington currently does not have statewide standards for city, county, and regional jails or an oversight body to promote transparency and accountability of operations and conditions. However, statewide jail standards and enforcement previously existed in Washington State.

From 1981 to 1987, a local sheriff led the Washington State Corrections Standards Board, whose members included the Attorney General, state legislators, local elected officials, prosecutors, state department heads, and the director of corrections as an ad hoc member. The Board was an outgrowth of the Washington State Jail Commission, which collected jail management data on a monthly basis, and brought forward the first set of standards to the Legislature in 1979. Figure 12 provides the Board’s composition in 1986.

Figure 12. Washington State Correction Standards Board. Source: Washington State Correction Standards Board 1986 Annual Report.



These standards formed the basis for the Board to inspect jails annually. The Board had the authority to enforce jail standards, distribute construction funds, and gather jail population data. The Board was also authorized to close jails for deficiencies; however, it generally consulted with jails to bring them back to compliance. In 1984, the U.S. Department of Justice noted that the Washington State Corrections Standards Board was a model for other states pursuing jail standards and oversight.⁵⁰

In 1987, a review by the Legislative Audit Review Committee recommended that the Legislature terminate the Board. However, the Committee recommended that other state departments subsume two of the functions the Board had engaged in, setting standards and collecting jail population data. The recommendation to terminate the Board was met with opposition from a range of stakeholders, including WASPC, jail administrators, the American Civil Liberties Union, and the Department of Corrections.

Despite this opposition, the Legislature voted to eliminate the Board in 1987, and did not have other state departments take on the role of establishing standards or continuing data collection. When the Legislature eliminated the Board, it passed the City and County Jails Act, which directed all units of local government that own or operate adult correctional facilities to develop standards for jail operations.⁵¹

In response to a request from the AGO in June 2022, ten jails provided standards promulgated by the local government’s legislative body. Seven of the ten standards were established prior to 1995. For more details, see Appendix II.

Minimum Jail Standards - Jail standards define the acceptable minimum conditions of confinement and can create uniformity in jail operations, which can help protect counties and officials from liability.⁵² Minimum jail standards typically set a floor, reflecting minimum legal requirements and competent correctional practices.⁵³ Thirty-seven states have mandatory standards established through legislation, twenty-five of which have an oversight body. This means that twelve states have standards that are not enforceable by a state entity.⁵⁴

There is wide variability in the comprehensiveness and specificity of standards for jail conditions and operations, as well as different approaches to inspections, enforcement and oversight.⁵⁵ Despite this variation, minimum jail standards commonly address the following areas of jail conditions, operations, inspections, enforcement, and oversight. Table 7 represents common areas of jail operations and conditions covered in established jail standards.

Table 7. Common areas of jail operations and conditions covered in jail standards

General Principles	Intake and Classification	Conditions of Confinement	Rules of Conduct and Discipline	Personal Security	Health Care
<ul style="list-style-type: none"> • Definitions 	<ul style="list-style-type: none"> • Admission Procedures • Orientation • Release Procedures • Classification plan 	<ul style="list-style-type: none"> • Physical Plant • Housing • Maximum Facility Capacity • Food Services • Safety & Emergency Procedures • Sanitation • Commissary 	<ul style="list-style-type: none"> • Discipline • Administrative Segregation 	<ul style="list-style-type: none"> • Supervision • Security • Use of force • Use of restraints • Suicide Prevention • Prison Rape Elimination Act 	<ul style="list-style-type: none"> • Medical • Dental • Mental Health Care • Substance Abuse Treatment
Personal Dignity	Minors in Jail	Rehabilitation and Reintegration	Rights	Administration and Staffing	Accountability and Oversight
<ul style="list-style-type: none"> • Clothing • Personal Hygiene • Bedding and Linen 	<ul style="list-style-type: none"> • Intake • Classification • Release procedures • Education • Recreation • Pregnant Minors 	<ul style="list-style-type: none"> • Employment of Detainees • Mail Procedures, Telephone and Visitation • Social Service Programs, Education, Library, Religious Services • Recreation and Leisure Time 	<ul style="list-style-type: none"> • Grievance procedures • Voting • Access to the courts and counsel 	<ul style="list-style-type: none"> • Administration • Personnel • Records • Reporting 	<ul style="list-style-type: none"> • Internal Accountability • Construction Plans • Inspections • Compliance & Variances

Source: AGO analysis of the standards established by the American Correctional Association, the Washington Association of Sheriffs and Police Chiefs, and the following states: California, Texas, Illinois, Ohio, Indiana, North Carolina, Kentucky, Texas, Virginia, Massachusetts, New Jersey.

Independent Correctional Oversight - As defined by Michele Deitch, Director of the Prison and Jail Innovation Lab, correctional oversight is “an independent, external mechanism designed to ensure the collection and dissemination, and use of unbiased, accurate, and first-hand information about correctional conditions of confinement or the treatment of individuals experiencing incarceration, primarily through on-site access to the facilities.” In her article, *But Who Oversees the Overseers?*, Dr. Deitch notes that the goals of external correctional oversight are to improve the transparency within prisons and jails and increase accountability when the closed nature of the correctional setting leads to harmful outcomes for those detained. Additionally, the article notes that correctional oversight has benefits for a wide array of stakeholders, including people experiencing incarceration, correctional administrators, judges, prosecutors, defense lawyers, policy makers, the media, and the public.⁵⁶

Current Jail Oversight Bodies in the United States

Twenty-five states have a statewide jail oversight body that regulates the conditions of confinement in jails. Four additional states have an entity that promotes voluntary standards. There are four models of jail oversight entities: embedded within the Department of Corrections, an Independent Commission, a Sheriffs Association, or the state’s Department of Health.⁵⁷ Four of the five states with a program run by the Sheriffs Association are voluntary. For example, in Washington, WASPC adopted voluntary jail standards in 2013.⁵⁸ Currently, seven jails hold WASPC’s accreditation, as noted in Table 8.

Table 8. Facilities with WASPC Accreditation

County	Regional	City
Clallam, Franklin, Okanogan, Snohomish, Spokane	SCORE- South Correctional Entity	Kent City Jail
Source: Washington Association of Sheriffs and Police Chiefs		

In contrast, the Florida Sheriffs Association has authority to establish mandatory standards and conduct oversight. Table 9 outlines which states use each model.

Table 9. Models of State Level Correctional Oversight in the United States				
Department of Corrections	Independent Commission/ Agency	Sheriffs Association	Department of Health	Other
1. Illinois	1. Arkansas	Mandatory Program:	1. North Carolina	1. Hawaii
2. Indiana	2. California	1. Florida	2. Oklahoma	2. Minnesota
3. Iowa	3. Maryland	Voluntary Programs:		3. Pennsylvania
4. Kentucky	4. Nebraska	2. Idaho		
5. Maine	5. New York	3. Oregon		
6. Massachusetts	6. Tennessee	4. Utah		
7. Michigan	7. Texas	5. Washington		
8. Minnesota				
9. New Jersey				
10. North Dakota				
11. Ohio				
12. Pennsylvania				
13. South Carolina				
14. Virginia				
15. Wisconsin				
Source: Adapted from the Prison and Jail Innovation Lab presentation to the Washington State Joint Legislative Task Force on Jail Standards in January 2023; & Michele Deitch, <i>But Who Oversees the Overseers?: The Status of Prison and Jail Oversight in the United States</i> , 47 Amer. J. Crim. L. 207, 256 (2020).				

A Board or a Commission oversees the majority of the Independent Commissions. The size and compositions of the Commissions and Boards range. Tennessee and New York have three and seven members, respectively; California and Texas each have nine members; Maryland has twelve members, and Washington’s former body had 14 members.⁵⁹ Four of the six states reviewed by AGO staff included sheriffs and county officials. Three states included members of the public, and individual states specified the inclusion of a community provider of rehabilitative treatment, a member from the medical/mental health profession, an official from a national standards accrediting body, and the Chair of the Department of Criminal Justice of an Institution of Higher Education.

Critical Features of Correctional Oversight - The American Bar Association’s Resolution on Independent Correctional Oversight notes that regardless of the model, there are critical features of oversight that are necessary for effectiveness.⁶⁰

- Independence;
- Clear mandate, including a mandate to do routine, preventive inspections and issue public reports;
- Unfettered access to facilities and records;
- Confidential communications with incarcerated people and staff;
- Full cooperation from corrections officials;
- Agency officials must issue written responses to oversight reports with an action plan;
- Adequate funds and operational resources;
- Community involvement;
- Identification of systemic issues; and
- Resolution of individual complaints.

Task Force Recommendations

The Task Force voted to pass the following recommendations on October 18, 2023. Three members were absent for the vote, representing the House of Representatives (Rep. Farivar), the Senate (Sen. Torres), and Cities.*

The Washington State Joint Legislative Task Force on Jail Standards recommends: Creation of Independent Oversight Agency

- Establishing an Independent Agency to create mandatory standards and provide ongoing oversight of city, county, and regional jails. The Oversight Agency should be overseen by a Board/Commission, which will appoint a Director.

Yes: 13*

Abstain: 1 (House of Representatives - Rep. Cheney)

Oversight Agency's Authority to Promulgate, Revise, and Enforce Standards

- The Oversight Agency should have the authority to promulgate and revise mandatory minimum standards for city, county, and regional jails through a rule-making process ([34.05 RCW](#)). These standards must emphasize the humane treatment of people who are incarcerated and reflect current legal requirements as well as custodial care and welfare standards necessary for the operation of healthy, safe, and secure facilities. Oversight agency staff will consult with experts as needed to draft the proposed set of standards.

Yes: 14 (unanimous)*

- Mandatory minimum jail standards should be adopted within five years of the passage of legislation. The timeline for jails to comply with the mandatory standards will be determined through the rule-making process. The Oversight Agency may grant a variance in compliance with specified, non-essential mandatory standards when it determines that this will not seriously affect the security of the facility, the supervision of people who are incarcerated, or the safe and healthful operation of the facility. Variances will not be permitted for essential standards.

Yes: 12

No: 3 (Entities involved with or interested in the operation of local jails, Persons with lived experience, Statewide civil legal aid organization)

- The Oversight Agency should have the authority to enforce compliance with the standards by issuing mandatory corrective actions.

Yes: 13*

Abstain: 1 (House of Representatives - Rep. Cheney)

- The Oversight Agency should have the authority to petition the Superior Court for an order of partial or full closure of a jail. After exhausting other options, a petition for 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.

Yes: 11

No: 4 (House of Representatives - Rep. Cheney, Counties, Prosecutors, Law Enforcement)

- Before petitioning the Superior Court for an order of partial or full jail closure, the Oversight Agency will work with a jail to outline the specific areas of noncompliance, identify remedies to address the noncompliance, and set a defined, reasonable period of time within which the jail must be in compliance.

Yes: 13*

No: 1 (House of Representatives - Rep. Cheney)

- The Oversight Agency should have the authority to establish 1) maximum population capacities for each

* The member representing Superior Courts was absent for select items.

city, county, and regional jail; and 2) minimum safe staffing ratios of custodial, mental health, and medical staff to individuals tailored for each city, county, and regional jail. After exhausting other options, 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 fallen below safe staffing levels. All such expenses will be paid for by the transferring entity.

Yes: 11

No: 4 (Jail Administrators, House of Representatives - Rep. Cheney, Prosecutors, Law Enforcement)

Oversight's ongoing functions and features

- **Monitoring** – The Oversight Agency should monitor jails for compliance with standards by conducting routine, on-site monitoring. The Oversight Agency must conduct at least annual monitoring of all jails and issue public reports on the findings. Monitoring visits need not be announced. Monitoring reports should include non-identifiable case studies to center the experiences of individuals experiencing incarceration and staff or other information in support of its findings. City, county, and regional jails must respond to the monitoring report within a time frame set by the Oversight Agency, including a detailed action plan with time frames to address areas of non-compliance. The Oversight Agency should have the ability to approve the jail's response. Monitoring reports will be made available to leaders of the local criminal legal system including, but not limited to City or County Officials, City and County Prosecutors and Defense Offices, etc. The Oversight Agency will post monitoring reports and any responses thereto online in a timely manner.

Yes: 14 (unanimous)*

- **Facility Access** - The Oversight Agency should have unaccompanied access to all areas of a facility, records, people who are incarcerated, as well as staff. Such access should include the ability to make audio and visual recordings of such areas. Criteria governing the release of such recordings must be established by rule or law. At any time, the Oversight Agency should have the ability to communicate confidentially with people who are incarcerated, jail staff, and contractors in person, or by mail, telephone, and through survey instruments.

Yes: 11

No: 3 (House of Representatives - Rep. Cheney, Counties, Prosecutors)

Abstain: 1 (Law Enforcement)

- **Systemic Issues** - The Oversight Agency will focus on systemic issues, and may address individual concerns from individuals, staff, or the public.
Yes: 15 (unanimous)
- **Data Collection** – The Oversight Agency will serve as the clearinghouse for standardized information and data related to city, county, and regional jails. The Oversight Agency must establish clear definitions to ensure consistency in data collection and allow for meaningful analysis across jails. Jails will then be required to report complete, timely, and accurate information, which the Oversight Agency will analyze and disseminate.
Yes: 15 (unanimous)
- **Surveying** - The Oversight Agency will periodically survey people who are experiencing incarceration, those who have been recently incarcerated, and correctional staff. The Oversight Agency will design accessible surveys and will explore providing incentives to generate robust survey participation.
Yes: 15 (unanimous)

- **Outreach** – The Oversight Agency should conduct outreach with people interested in improving jail conditions and operations, including, but not limited to defense attorneys, prosecutors, judges, sheriffs, police chiefs, jail staff, counties, cities, people with lived experience and their friends and family, community advocates, medical and behavioral health providers, reentry service providers, and victims’ advocates.
Yes: 15 (unanimous)
- **Reporting** – The Oversight Agency will submit an annual report to the Governor and Legislature, including a full and complete statement of actions taken by the Oversight Agency for the preceding year, and recommendations, including any proposed legislation that the Agency deems necessary or desirable.
Yes: 15 (unanimous)
- **Technical Assistance** – The Oversight Agency will provide technical assistance to jails to help them achieve compliance with standards. This may include, but is not limited to, facilitating multi-agency collaboration, providing contracting assistance, and conducting policy analysis.
Yes: 15 (unanimous)

Funding and sustainability

- Washington State currently has fifty non-tribal affiliated jails. In 2022, an estimated 130,000 people entered a Washington jail, and nearly 3,000 people were employed in jails. The Task Force recommends that necessary funding be appropriated to properly staff and resource the Oversight Agency’s work, including creating and enforcing standards, performing data collection and analysis, auditing, monitoring facilities, facilitating multi-agency collaboration, and providing technical assistance.
Yes: 15 (unanimous)
- It is imperative that this body be funded by the Legislature and remain independent from any funding from the jails the agency is tasked with overseeing.
Yes: 15 (unanimous)
- Counties, cities, and the Legislature should coordinate to support and resolve emergency infrastructure problems identified by the Oversight Agency.
Yes: 15 (unanimous)

Board/Commission make-up & duties

- The Oversight Agency should be overseen by a Board/Commission, which will appoint a Director. The Director will be authorized to hire staff and make other necessary expenditures to fulfill the mission and duties of the Oversight Agency.
Yes: 14
Abstain: 1 (House of Representatives - Rep. Cheney)
- The Governor shall appoint Board/Commission members for three-year terms. Board/Commission members should be trained in their roles and responsibilities, including but not limited to, anti-racism training, fundamentals of corrections care, what to look for in a site visit, and motivational interviewing techniques. Trainings should be completed within six months of appointment.
Yes: 14
Abstain: 1 (House of Representatives - Rep. Cheney)
- The Board/Commission must be equally composed of jail administrators, medical and behavioral health services providers, defense attorneys, prosecutors, persons with lived experience, community advocates, and representatives from rural and urban jurisdictions who represent the cultural diversity of Washington.
Yes: 15 (unanimous)

- The Board/Commission should hold regular public meetings to allow for the public and stakeholders across the jail system to provide comment on the work of the Oversight Agency. Meetings will be open to both on-site and remote participation, and will provide the opportunity for individuals who are incarcerated to participate.

Yes: 15 (unanimous)

The Task Force also made the following policy recommendations: Coordinating Statewide Efforts on Correctional Conditions

Unexpected fatality reviews

- Unexpected fatality reviews teams, authorized by [RCW 70.48.510](#), should be required to include a representative from the Oversight Agency.

Yes: 13

No: 1 (Prosecutors)

Abstain: 1 (Law Enforcement)

Coordinating council on health services

- If the Legislature creates a statewide council to enhance communication and cooperation among state agencies and other entities involved in the provision of health care services to people who are incarcerated in Washington, the Oversight Agency should serve as a member of that council.

Yes: 15 (unanimous)

Jail Executive Leadership Training

- 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, contracting, health care administration, employment and correctional law, sanitation, workforce development, institutional culture, jail classification, discipline, grievance systems, uses of force, unexpected fatality reviews, withdrawal management, crisis de-escalation and other aspects of jail conditions and operations.

Yes: 13

No: 1 (Persons with Lived Experience)

Abstain: 1 (House of Representatives - Rep. Cheney)

Preventing In-custody Deaths

- City, county, and regional jails must provide people who are incarcerated with access to a free and confidential suicide prevention hotline. This number must be visible and posted in all housing units. If electronic tablets are available, individuals must have access to free resources on suicide prevention and information on how to connect to the confidential hotline.

Yes: 15 (unanimous)

- City, county, and regional jails must post suicide prevention resources and information on their public website. These resources must include ways for people external to the jail to communicate concerns about an individual who is incarcerated and suicide to the jail's staff.

Yes: 15 (unanimous)

- Any newly constructed city, county, or regional jail must be equipped with suicide-resistant cells and incorporate design concepts known to reduce stress and anxiety. This approach addresses the fact that 80 to 90 percent of people in jail have experienced some sort of trauma.⁶¹

Yes: 13

No: 1 (Counties)

Abstain: 1 (House of Representatives - Rep. Cheney)

Reducing Pretrial Incarceration to Promote Safe Facilities & Adherence to Mandatory Standards

- The Legislature should prioritize the development and funding of mental health crisis response and pre-arrest and pre-prosecution programs to serve as alternatives to incarceration.

Yes: 13

Abstain: 2 (House of Representatives - Rep. Cheney, Law Enforcement)

Telecommunications & Protecting In-Person Visitation

Promoting Connectivity and Regulating Rates and Commissions in Telecommunications

- To assist with maintaining connectivity between families and their loved ones who are incarcerated and improve reentry into the community, require city, county, and regional jails to provide telephone or other communication, such as video calls, to people who are incarcerated free of charge, for a minimum of 90 minutes per day. Beyond the 90 minutes provided free, any rates charged for subsequent calls or videos must be capped at \$0.05 per minute with no additional fees added, the same rate charged in the King County Jail, Whatcom County Jail, Issaquah City Jail, and Washington State prisons.

Yes: 10

No: 5 (Jail Administrators, House of Representatives - Rep. Cheney, Counties, Prosecutors, Law Enforcement)

Expanding ADA Accessibility in Jail Telecommunications

- Require all city, county, and regional jails, regardless of size, to provide free communication services for deaf and hard of hearing individuals, including but not limited to, point-to-point videophones, video relay services, and captioned telephones.

Yes: 15 (unanimous)

Ensuring In-Person Visitation

- To improve compliance with jail rules and reentry into the community, require all jails to provide opportunities for free in-person visitation consistent with public health recommendations, and prohibit new contracts for emerging forms of telecommunications from replacing 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.

Yes: 13

No: 2 (Prosecutors, House of Representatives - Rep. Cheney)

Any newly constructed city, county, or regional jail facilities must provide space for in-person, contact, and child-friendly visitation.

Yes: 13

No: 1 (Law Enforcement)

Abstain: 1 (Medical and Mental Health Providers)

Appendix I – Jail Standards Proviso

Sec. 957. A new section is added to chapter 70.48 RCW to read as follows:

- (1) A joint legislative Task Force on jail standards is established, with members as provided in this subsection.
 - (a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.
 - (b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.
 - (c) The president of the senate and the speaker of the house of representatives jointly shall appoint 13 members representing the interests of: Prosecutors, defense attorneys, law enforcement, counties, cities, jail administrators, superior courts, district and municipal courts, a state designated protection and advocacy agency, medical and mental health service providers, a statewide civil legal aid organization, persons with lived experience, and other entities involved with or interested in the operation of local jails.
- (2) The legislative membership shall convene the initial meeting of the Task Force. The Task Force shall choose its chair from among its legislative membership.
- (3) Staff support for the Task Force must be provided by the office of the attorney general.
- (4)
 - (a) Legislative members of the Task Force may be reimbursed for travel expenses in accordance with RCW 44.04.120. Except as provided in (b) of this subsection, nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW.
 - (b) Nonlegislative members of the Task Force who demonstrate financial hardship must be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060, as well as other expenses as needed for each day a nonlegislative Task Force member attends a Task Force meeting to provide consultative assistance.
- (5) The expenses of the Task Force must be paid jointly by the senate and the house of representatives. Task Force expenditures are subject to approval by the senate facilities and operations committee and the house executive rules committee, or their successor committees.
- (6) The Task Force shall review the following issues:
 - (a) The adequacy of standards adopted and used by jails including, but not limited to, standards for conditions and operations, inspections, enforcement, and oversight;
 - (b) Current data on jails in the state including, but not limited to, square footage of living space per individual, jail capacity, average daily population over the previous five years, medical and dental services, mental health services, treatment programming options, accreditation status, use of force incidents over the previous five years, and in-custody deaths and the causes of those deaths;
 - (c) How the jails in the state compare to jail standards and practices in other states regarding safety and physical conditions; health and welfare; access to medical, mental health, dental care, and substance use disorder treatment; food quality and quantity; use of force; use of solitary confinement; and recreational activities and programming;
 - (d) The revenue sources and funding mechanisms used by other states to pay for local jails and the kinds of services that are provided to inmates in jails in other states, including identifying the entity that is responsible for financing those services;
 - (e) Inmate's access to jail telecommunication, electronic media, and commissary services, including the rates and fees charged by the jail for these services that are often borne by families of individuals; and
 - (f) Other issues the Task Force deems relevant to the conditions of jails.
- (7) The Task Force shall make recommendations regarding:
 - (a) Statewide minimum jail standards, oversight, or other policy changes to ensure jail conditions meet state and federal constitutional and statutory standards and include adequate safety and welfare safeguards for incarcerated persons and staff; and

(b) Restoration of a statewide authority to set mandatory minimum jail standards and conduct inspections of jails for compliance and enforcement of those standards.

(8) The Task Force shall consult with organizations and entities with interest or experience in jail standards and operations including, but not limited to, treatment providers, victims' advocates, inmate advocates, organizations representing jail employees and officers, and other community organizations.

(9) The Washington Association of Sheriffs and Police Chiefs and representatives from county, city, and regional jails must provide any data or information that is requested by the Task Force to perform its duties under this section.

(10) The Task Force shall report findings and recommendations to the governor and the appropriate committees of the legislature by June 30, 2023.

Appendix II – Status of Operating Jail Standards in Washington State

In 1987, the Legislature passed the City and County Jails Act, which directed all units of local government that own or operate adult correctional facilities to develop standards for jail operations.⁶² In June 2022, the AGO, in partnership with WASPC, requested information on jail standards from jails across the state.

Twenty-three jails responded to this request. Several jails expressed confusion and indicated that they were unfamiliar with standards established by the local government. Table 10 outlines the summary of responses by jails.

Ten jails provided copies of the relevant jail standards established by the local government that owns or operates the jail. Six jails responded with the policy manual that outlines the policies adopted by the relevant operating department of the jail. Two jails provided both standards and policy manuals. Four jails responded that they were unable to locate established standards or were aware that the local government had not developed standards for the jail’s operations. Finally, five jails provided other information, discussed below. The AGO did not request standards from local government legislative bodies.

Table 10. Summary of Responses			
Standards Provided	Custody Manual Provided	Unable to Locate/No Formal Standards Established	Other
1. Cowlitz County	1. Benton County	1. King County	1. City of Enumclaw
2. Ferry County	2. Garfield County	2. City of Kirkland	2. Kitsap County
3. Franklin County	3. City of Issaquah	3. Chelan County	3. City of Kent
4. City of Issaquah	4. Lewis County	4. Stevens County	4. City of Marysville
5. Jefferson County	5. Skagit County		5. City of Puyallup
6. Mason County	6. Snohomish County		
7. Okanogan County			
8. Snohomish County			
9. Thurston County			
10. Whatcom County			

Table 11 outlines the year the standards were established (if available) as well as any years that standards were found to be revised.

Table 11. Established Standards		
Jail	Year Standards Established	Year(s) Standards Revised
Cowlitz County	Unknown	2000, Current revisions need approval by Board of County Commissioners
Ferry County	2018	
Franklin County	1988	Will soon be updated to reflect WASPC standards
City of Issaquah	1988	
Jefferson County	1988	
Mason County	2018	
Okanogan County	1988	

Snohomish County	1994	2008
Thurston County	Unknown	
Whatcom County	1987	Currently revising standards

Custody Manuals Provided - Of the six facilities that provided custody manuals, two jails noted that the local government that operates the jail repealed previously established standards. In Lewis County, the Board of County Commissioners originally adopted standards for the county jail in 1987 and repealed these standards in 2017. The resolution states that as the Sheriff has sole responsibility to operate the jail; therefore, the Sheriff has the authority to set jail standards. Benton County repealed correctional standards in 2000.

Expanding on Other Responses - As noted, there was confusion from several facilities on what jail standards are and where they may be located. Several facilities responded with any available information they thought was related, and are listed below.

- The Enumclaw City Jail provided an ordinance from March 2022, which authorized the Chief of Police to promulgate, issue, rescind, and amend appropriate standards, policies, rules, and procedures necessary to operate the city’s jail facility.
- The Kitsap County Jail provided a section of the Kitsap County Code. In 2019, this revision delegated to the sheriff the responsibility of adopting standards and implementing jail policies and procedures consistent with the minimums necessary to meet federal and state constitutional and statutory requirements relating to health, safety, and welfare of inmates, staff, and the public, as appropriate for jail facilities.
- The Kent City Jail responded that the City of Kent adopted WASPC’s standards and is accredited by WASPC. They did not provide a copy of standards.
- The Marysville City Jail provided the standard operating procedures and noted, as they are moving into a new facility, they are in the process of updating policies and procedures.
- The Puyallup City Jail provided a link to the municipal code outlining the Police Department’s responsibility to supervise the jail, a copy of the inmate handbook, and the commissary policy.

Endnotes (Links may not work in all browsers)

- 1 Each state has a federally designated protection and advocacy system to protect individuals with disabilities by empowering them, advocating on their behalf, and providing assistance with legal and civil rights issues.
- 2 Michele Y Deitch, “But Who Oversees the Overseers?: The Status of Prison and Jail Oversight in the United States.” 47 *American Journal of Criminal Law* 207 (Summer 2020).
- 3 Armstrong, Andrea C., “The Missing Link: Jail and Prison Conditions in Criminal Justice Reform.” (September 9, 2019). 80 *La. L. Rev.* 1 (2019), Loyola University New Orleans College of Law Research Paper No. 2019-21, Available at SSRN: <https://ssrn.com/abstract=3501011>.
- 4 “Budget Guide for Jail Administrators.” U.S. Department of Justice, National Institute of Corrections, 2002. <https://info.nicic.gov/nicrp/system/files/017627.pdf>.
- 5 “Local Spending on Jails Tops \$25 Billion in Latest Nationwide Data.” The Pew Charitable Trusts, Jan 2021. [https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2021/01/local-spending-on-jails-tops-\\$25-billion-in-latest-nationwide-data](https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2021/01/local-spending-on-jails-tops-$25-billion-in-latest-nationwide-data).
- 6 The Task Force reviewed data and information for non-tribal affiliated city, county, and regional jails in Washington. Douglas and Chelan Counties are served by the Chelan County Regional Justice Center. Columbia County does not operate a jail. The Task Force did not review data or information on state prisons, police holding stations, lock-ups, work release centers, and juvenile detention centers.
- 7 AGO staff analysis of 2023 Comparative Jail Survey Results. Forty of fifty jails responded to the Comparative Jail Survey.
- 8 *Id.*
- 9 Vera Institute. “Incarceration Trends in Washington - Vera Institute of Justice.” Incarceration trends in Washington, 2019. <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-washington.pdf>.
- 10 WA population grew 107% between 1970 and 2015. Sources: “Total Population and Percent Change.” Washington State Office of Financial Management, December 30, 2020. <https://ofm.wa.gov/washington-data-research/statewide-data/washington-trends/population-changes/total-population-and-percent-change>; Bureau of the Census (1971). <https://www2.census.gov/library/publications/decennial/1970/pc-v2/15872858v2ch6.pdf>.
- 11 Race and the Criminal Justice System, Task Force 2.0., “Race and Washington’s Criminal Justice System: 2021 Report to the Washington Supreme Court.” (2021). *Fred T. Korematsu Center for Law and Equality*. 116. https://digitalcommons.law.seattleu.edu/korematsu_center/116.
- 12 “Final Recommendations Report.” Washington State Pretrial Reform Task Force, Feb 2019. <https://www.courts.wa.gov/subsite/mjc/docs/PretrialReformTaskForceReport.pdf>.
- 13 “Behavioral Health Needs of Jail Inmates in Washington State.” Department of Social and Health Services, 2016. <https://www.dshs.wa.gov/sites/default/files/rda/reports/research-11-226a.pdf>.
- 14 AGO staff analysis of jail’s responses to the Washington Association of Sheriffs and Police Chiefs’ voluntary data collection. <https://waspc.memberclicks.net/historical-jail-statistics>.
- 15 Multiple occupancy cells are typically designed to house between two and eight individuals, and include beds, a toilet, sink, and perhaps a desk, stool, and shelf. Cells do not have a shower or dining table, which are typically in adjacent day rooms. Dormitory style housing is more self-contained, meaning individual’s needs are served within the single space: beds, toilets, sink, shower, dining tables, storage, telephones, televisions, etc. Between eight and 64 beds are typically found in dormitories depending on jail size. Source: “Jail Design Guide Third Edition.” National Institute of Corrections, 2011. <https://nicic.gov/resources/nic-library/all-library-items/jail-design-guide>.
- 16 “Jails in America: A Report on Podular Direct Supervision.” National Institute of Corrections, 2015. <https://nicic.gov/resources/nic-library/webinars-broadcasts/jails-america-report-podular-direct-supervision>.

- 17 “Staff/Inmate Ratios in Correctional Facilities.” National Institute of Corrections. <https://nicic.gov/resources/nic-library/hot-topics/staffinmate-ratios-correctional-facilities>.
- 18 The Garfield County Jail is designed to hold 16 people, and its average daily population was 2.41 in 2022.
- 19 RCW 70.48.490 allows for jails to provide for the delivery and administration of medication, and medication assistance for individuals in custody by nonpractitioner jail personnel.
- 20 Carson, E. Ann. “Mortality in Local Jails, 2000-2019 – Statistical Tables, 2021.” <https://bjs.ojp.gov/content/pub/pdf/mlj0019st.pdf>.
- 21 AGO staff analysis of State Mortality Rates - Carson, E. Ann. “Mortality in Local Jails, 2000-2019 – Statistical Tables, 2021.” <https://bjs.ojp.gov/content/pub/pdf/mlj0019st.pdf>.
- 22 AGO staff analysis of State Mortality Rates – Carson, E. Ann “Mortality in State and Federal Prisons, 2001 – 2019 – Statistical Tables, 2021.” <https://bjs.ojp.gov/content/pub/pdf/msfp0119st.pdf>
- 23 Id. at 20.
- 24 Id. at 20.
- 25 Hahn, J.W. “How to Lower the High Level of Jail Suicides.” The Brennan Center for Justice, Aug 2022. <https://www.brennancenter.org/our-work/analysis-opinion/how-lower-high-level-jail-suicides>.
- 26 Meagher, Tom and Maurice Chammah. “Why Jails Have More Suicides than Prisons.” The Marshall Project, 2015. <https://www.themarshallproject.org/2015/08/04/why-jails-have-more-suicides-than-prisons>.
- 27 Carson, E. Ann. “Suicide in Local Jails and State and Federal Prisons, 2000-2019.” Bureau of Justice Statistics-Statistics Tables, 2021. <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/sljsfp0019st.pdf>.
- 28 Id.
- 29 Id. at 27.
- 30 Id. at 8.
- 31 “Gone But Not Forgotten – The Untold Stories of Jail Deaths in Washington.” Columbia Legal Services, May 2019. <https://columbialegal.org/wp-content/uploads/2019/05/Gone-But-Not-Forgotten-May2019.pdf>.
- 32 Id.
- 33 Data sets include Bureau of Justice Statistics (deaths from 2000 – 2019), Bureau of Justice Assistance (deaths post-2019), Columbia Legal Service’s review of 200 deaths between 2005 and 2016, the Washington Association of Sheriffs and Police Chiefs Annual Jail Statistics.
- 34 Physical force excludes pat-downs, incidental touching, verbal commands, and compliant handcuffing.
- 35 “Who Pays? The True Cost of Incarceration on Families.” Ella Baker Center for Human Rights, Forward Together, and Research Action Design, 2015. <https://ellabakercenter.org/wp-content/uploads/2022/09/Who-Pays-FINAL.pdf>.
- 36 “State of Phone Justice.” Prison Policy Initiative, February 2019. https://www.prisonpolicy.org/phones/state_of_phone_justice.html.
- 37 Beyond the bills listed in the table, California’s Public Utilities Commission regulated phone call rates through rule-making authority in 2021. The Massachusetts 2024 Budget includes a provision that requires prisons and jails provide phone calls, video calls, and e-messaging at no cost.
- 38 “Martha Wright-Reed Just and Reasonable Communications Act of 2022.” U.S. 117th Congress. <https://www.congress.gov/bill/117th-congress/senate-bill/1541/text>.
- 39 ADA Requirements for Effective Communication. <https://www.ada.gov/resources/effective-communication/>.
- 40 “Access Denied: Conditions for People with Physical and Sensory Disabilities in Washington’s County Jails.” Disability

Rights Washington, January 2017. https://www.disabilityrightswa.org/wp-content/uploads/2017/11/AccessDenied_January2017.pdf.

41 Id. at 39.

42 Press Release. “DOJ and Clark County Jail resolve alleged violations of Americans with Disabilities Act.” United States Attorney’s Office Western District of Washington, July 2021. <https://www.justice.gov/usao-wdwa/pr/doj-and-clark-county-jail-resolve-alleged-violations-americans-disabilities-act>.

43 “Rates for Interstate Inmate Calling Services.” Federal Communications Commission, Sept. 2022. <https://www.fcc.gov/document/fcc-mandates-trs-access-incarcerated-people-disabilities>.

44 To What End?: Assessing the Impact of the Knox County Jail’s Ban on In-Person Visits.” Face to Face Knox. (2018). <https://drive.google.com/file/d/1H4JdRulGhQ9tKeMKUxsimxLsyE5nYlMF/view>; “Video Visitation: How Private Companies Push for Visits by Video and Families Pay the Price.” Texas Criminal Justice Coalition and Grassroots Leadership. (2014). <https://nicic.gov/resources/nic-library/all-library-items/video-visitation-how-private-companies-push-visits-video>; Lee, Logan. (2020). “Far From Home and All Alone: The Impact on Prison Visitation on Recidivism.” https://loganmlee.sites.grinnell.edu/ALER_Final_Lee.pdf.

45 “Every Second: The Impact of the Incarceration Crisis on America’s Families.” FWD.us, Dec 2018. <https://everysecond.fwd.us/downloads/everysecond.fwd.us.pdf>.

46 Siennick, S. E., Mears, D. P., & Bales, W. D. (2013). “Here and Gone: Anticipation and Separation Effects of Prison Visits on Inmate Infractions.” *Journal of Research in Crime and Delinquency*, 50(3), 417–444. <https://doi.org/10.1177/0022427812449470>; Minnesota Department of Corrections. (2011). “The Effects of Prison Visitation on Offender Recidivism.” <https://nicic.gov/resources/nic-library/all-library-items/effects-prison-visitation-offender-recidivism>; De Claire, K., & Dixon, L. (2017). “The Effects of Prison Visits From Family Members on Prisoners’ Well-Being, Prison Rule Breaking, and Recidivism: A Review of Research Since 1991.” *Trauma, Violence, & Abuse*, 18(2), 185-199. <https://doi.org/10.1177/1524838015603209>; Cochran, Joshua. (2012). “The ties that bind or the ties that break: Examining the relationship between visitation and prisoner misconduct.” *Journal of Criminal Justice*, Volume 40 Issue 5, 433-440. <https://doi.org/10.1016/j.jcrimjus.2012.06.001>.

47 Face to Face Knox. (2018). “To What End?: Assessing the Impact of the Knox County Jail’s Ban on In-Person Visits” <https://drive.google.com/file/d/1H4JdRulGhQ9tKeMKUxsimxLsyE5nYlMF/view;%20Texas%20Criminal%20Justice%20Coalition%20and%20Grassroots%20Leadership>. (2014). “Video Visitation: How Private Companies Push for Visits by Video and Families Pay the Price”. Leadership. (2014). <https://nicic.gov/resources/nic-library/all-library-items/video-visitation-how-private-companies-push-visits-video>.

48 Couloute, L. “American Correctional Association says that video visitation should not replace in-person visits.” Prison Policy Initiative, Apr 2017. https://www.prisonpolicy.org/blog/2017/04/24/aca_video_policy/.

49 Russo, Joe, Dulani Woods, George B. Drake, and Brian A. Jackson. “Building a High-Quality Correctional Workforce: Identifying Challenges and Needs.” Santa Monica, CA: RAND Corporation, 2018. https://www.rand.org/pubs/research_reports/RR2386.html.

50 Demos, Nicholas. “Future Jail - Professionally Managed Corrections Center That Controls Its Population.” Office of Justice Programs, 1984. <https://www.ojp.gov/ncjrs/virtual-library/abstracts/future-jail-professionally-managed-corrections-center-controls-its>.

51 Washington State Legislature, RCW, Title 70, Section 70.48.071, “City and County Jails Act.” <https://app.leg.wa.gov/RCW/default.aspx?cite=70.48.071>.

52 Morris L. Thigpen, et al. “Jail Standards and Inspection Programs.” National Institute of Corrections (April 2007), <https://nicic.gov/resources/resources-topics-and-roles/topics/jail-standards-and-inspections>

53 Id. at 2.

54 AGO review of established jail standards and oversight bodies across the U.S.

55 Id. at 2.

56 Id. at 2.

57 Id. at 2.

58 Communication with WASPC, November 16, 2023.

59 California Board of State and Community Corrections Member composition, https://www.bscc.ca.gov/s_compositionoftheboard/; Maryland Commission on Correctional Standards composition, [https://govt.westlaw.com/mdc/Document/N406408309CDB11DB9BCF9DAC28345A2A?viewType=FullText&originationContext=document-toc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/mdc/Document/N406408309CDB11DB9BCF9DAC28345A2A?viewType=FullText&originationContext=document-toc&transitionType=CategoryPageItem&contextData=(sc.Default)); Tennessee Corrections Institute Board of Control composition, <https://www.tn.gov/tci/board-of-control.html>; Texas Commission on Jail Standards Member composition, <https://www.tcjs.state.tx.us/current-members/>.

60 ABA Resolution, August 2008. <http://www.ongov.net/jcoc/documents/ABAResolutionandOversight104b.Final.2008.pdf>.

61 Jackson V, Sullivan DH, Mawren D, Freiberg A, Kulkarni J, Darjee R. “Trauma-informed sentencing of serious violent offenders: an exploration of judicial dispositions with a gendered perspective.” *Psychiatry Psychology Law*. 2021 Apr 1; 28(5):748-773. doi: 10.1080/13218719.2020.1855267. PMID: 35571601; PMCID: PMC9103359.

62 Id. at 51.