



King County

Department of Adult
and Juvenile Detention
Director's Office

April 19, 2019

Nicholas B. Straley
Columbia Legal Services
101 Yesler Way, STE 300
Seattle, WA 98104

RE: 2019 Quarter 1 Self-Monitoring Report

Dear Mr. Straley,

King County embraces evidence-based, data-driven, therapeutic and trauma-informed approaches to detention and corrections – including reducing the use of restrictive housing for all populations. While these approaches can be challenging, we have made and continue to make meaningful progress on our Road Map to Zero Youth Detention, our implementation of Ordinance 18637, and other efforts.

Specific to Ordinance 18637 – which prohibits the restrictive housing of certain youth, except when, based on the youth's behavior, restrictive housing is necessary to prevent imminent and significant physical harm to the youth or others and less restrictive alternatives were unsuccessful – it is critical that we ensure the safety and well-being of the youth, young adults and the staff at our facilities.

Attached you will find the first quarter of 2019 Self-Monitoring Report. In addition to this reporting under our agreement, the County is seeking ongoing monitoring services to review implementation of the new policies developed consistent with the code. Our previous monitor agreement expired, and a new solicitation is underway. A copy of the solicitation is attached.

Please let me know if you have any questions after reviewing this material.

Sincerely,

Brenda Bauer, Interim Director

cc: John Gerberding, Senior Deputy Prosecuting Attorney
Pascal Herzer, Senior Deputy Prosecuting Attorney

Report on Ordinance 18637 Use of Restrictive Housing

Introduction

King County is committed to developing and implementing leading edge reforms related to restrictive housing. We are committed to the safety and well-being of the youth in our care and the staff at our facilities.

Ordinance 18637

In December 2017, the King County Council passed ordinance 18637 which prohibits the use of restrictive housing for certain defined youth in all King County detention facilities, except when based on the youth's behavior, restrictive housing is necessary to prevent imminent and significant physical harm to the juvenile or others and less restrictive alternatives were unsuccessful. Restrictive housing of these youth may not be used for disciplinary or punishment purposes. The ordinance allows for a short-term cooling off period for security reasons if a particular youth presents a security issue. The ordinance also allows for the short-term use of room confinement to address security, maintenance, and emergency issues not based on an individual youth's behavior.

The ordinance defines the youth subject to the ordinance to mean "a person who is currently confined in a King County detention facility for a charge that was filed in juvenile court or based on conduct that occurred before the person's eighteenth birthday where the confinement begins before the person's eighteenth birthday."

The majority of persons covered by the ordinance are currently housed within the juvenile division at the Youth Services Center (YSC). There is, however, a group of persons housed in adult detention who are covered by the ordinance. These people are legal adults over the age of 18, and have either "aged out" of juvenile detention, or were detained as juveniles, released on probation or parole and then booked on a probation/parole violation after turning 18. These youth are referred to as Adult Age Outs or (AAOs).

The ordinance requires that all Department of Adult & Juvenile Detention (DAJD) divisions provide, consistent with appropriate security measures and maintaining public safety, the equal administration of programming, health services, alternatives to secure detention and access to the defense bar and juvenile probation counselors. The ordinance also requires that all youth subject to the ordinance have access to education as required by law (state law requirements for incarcerated persons over the age of 18 are significantly lower than the requirements in place for persons under the age of 18).

The ordinance contemplates the potential need to bargain with labor over the implementation of the ordinance.

Ordinance 18637 requested the Executive to appoint an independent monitor to report on the implementation of the ordinance. The ordinance called for two monitoring reports, which were issued by September 2018 and January 30, 2019.

Columbia Legal Services

In October 2017, Columbia Legal Services (CLS) filed a class action lawsuit against King County relating to the treatment of auto-declined youth held at the Maleng Regional Justice Center (MRJC). In the spring of 2018, CLS and King County agreed to settle CLS' lawsuit. As part of this settlement agreement, King County agreed to provide CLS with quarterly self-monitoring reports starting in 2019. This report is King County's first self-monitoring report.

King County Department of Adult and Juvenile Detention Policies and Practices

DAJD includes a juvenile division which is responsible for operating the YSC, and two adult divisions, one responsible for operating the King County Correctional Facility (KCCF) in downtown Seattle and the other responsible for operating the detention center at the MRJC in Kent, Washington.

There are an average of about 50 youth at any given time under the age of 18 that are housed at the YSC. Of those youth, about one half are "auto-declines," meaning that their charges are serious enough that they have been declined from the juvenile court and charged as adults for offenses like murder, rape, and significant assaults or robberies.

Adult Age Outs are currently housed with other adults in the KCCF or the MRJC. There are about 20 AAOs among about 2,000 inmates in the adult facilities at any given time.

DAJD has made meaningful progress on implementation of Ordinance 18637. The department has been working to develop and implement new policies and practices consistent with the ordinance. Under these policies and practices, prior to placement into restrictive housing, youth and AAOs may be confined to their room for a period of up to two hours if their behavior presents a security issue. If placed in their room for a security issue based on their behavior, at two hours the youth or AAO must be assessed for whether or not they present a risk of imminent and significant physical harm to self or others, and if so, they may be placed in restrictive housing. Youth and AAOs in restrictive housing will be frequently monitored and assessed by DAJD staff, medical, and mental health professionals, and reintegrated once the risk of physical harm is no longer present. Youth and AAOs will not be placed in restrictive housing for disciplinary purposes. The policies also allow for the short-term use of room confinement to address security, maintenance, and emergency issues not based on an individual youth's behavior.

The complex policies and practices of DAJD can be divided into those that are new, and those that preexisted the passage of Ordinance 18637. For areas covered by preexisting policies and practices, the county was in compliance with the ordinance at the time it passed. These pertain generally to restrictive housing, education, programming, and health services.

For youth under age 18

New

- Created a policy limiting restrictive housing in compliance with the ordinance and bargained the effects with Juvenile Detention Guild. This policy went into effect on 1/18/19 and an update to the policy is in progress

- Required documentation for procedures for when youth are placed in restrictive housing, implementing on 5/1/19
- Staff training on policy, concurrent with the implementation of the updated policy
- Care plan when in restrictive housing – medical clinic staff, implementing on 5/1/19

Preexisting

- Alternatives to secure detention, which are under the authority of courts and judges
- School consistent with state law
- A health program
- Access to programming and ordinary necessities, such as medication, meals, and reading in restrictive housing
- Reasonable access to the defense bar, juvenile probation counselors and social service providers

For Adult Age Outs over the age of 18

New

- Created a policy limiting restrictive housing in compliance with the ordinance, which is in draft form and the effects of which are being bargained with multiple labor organizations
- Required documentation procedures for when AAO's are placed in restrictive housing has been drafted
- Staff training on policy pending completion of bargaining with labor
- Care plan when in restrictive housing – Jail Health clinic staff, process in draft
- Equal access to programming in restrictive housing, pending identification and appropriation of resources
- Access to reading in restrictive housing, new policy to be implemented 5/1/19

Preexisting

- Access to ordinary necessities, such as medication, meals in restrictive housing
- Alternatives to secure detention, which are under the authority of courts and judges
- School consistent with state law
- A health program
- Reasonable access to the defense bar, juvenile probation counselors and social service providers

When youth become legal adults, they move to an adult facility where the buildings themselves, staffing ratios, and resources are not designed for the services and programs contemplated by the ordinance. For Adult Age Outs, there are not yet resources identified or available at the adult facilities to provide equal access to programming in comparison to the YSC, consistent with appropriate security measures and assuring public safety. The county is evaluating what facilities, resources and staffing may be necessary in order to provide the same level of programming that is provided to juveniles for adults.

Overview of First Quarter

The county is working to ensure that the use of restrictive housing for youth and AAO's is limited to the safety and security provisions of the ordinance. This should be fully implemented in May 2019.

It is important to note the significant difference between the staffing models for the juvenile and adult facilities. Under the Prison Rape Elimination Act (PREA), the staffing model at the YSC requires a 1:8 staff-to-youth ratio. That same staffing model is not required once an individual becomes a legal-aged adult and is transferred into the adult facilities, where the staffing ratios range from 1:64 and in some units can be as high as 1:160.

One option under consideration by DAJD is to update its staffing model to provide the same 1:8 ratio for AAOs when they age out of the YSC. The department has not developed an operational plan to achieve that ratio, but our estimate is that it would require authority and budget to hire, at a minimum, an additional 17 corrections officers, as well as other supervisory and support staff. This assumes an average daily population of 20 AAOs, older than age 18. Extending that staffing ratio to all 18-21-year-olds at the adult facilities would require an additional 284 FTEs at a cost of \$23-\$26 million per year, not including supervisors and other administrative staff, and operationally is not possible without constructing a new facility.

A number of the issues reflected in the first quarter data have been addressed. Systems for distinguishing AAOs as unique from other adult inmates among the about 35,000 annual booking, transfers and releases are being revised. This will allow the roughly 20 AAOs to receive different restrictive housing processes from the approximately 2,000 inmates in the adult system. Final draft restrictive housing policies and procedures were developed for AAOs and are under discussion with multiple labor organizations, including King County Corrections Guild, Uniformed Command Association, Public Safety Employees Union, American Federation of State, County, and Municipal Employees, Council 2, and Local 21AD.

For youth at the YSC, policies have been in place starting in January of 2019, however, documentation was inconsistent, so new documentation processes have been developed and will be implemented in May, along with an updated policy.

There is a smaller population at YSC (about 50) and as a result, a much smaller staff. The staff at the youth facility have different training and requirements, and adult corrections staff cannot substitute for juvenile detention officers. There were three days where there were significant staffing shortfalls making it necessary to keep juveniles in their rooms for periods of time for the safety of the youth and staff in an operational/facility hold status. These instances are accounted for separately from the restrictive housing of individual youth in Exhibit B.

Next steps

All of these policies and practices will be a part of ongoing trainings, and subject to continuous improvement as we learn about challenges during ongoing implementation.

The department will be engaging the King County Council on the issue of programming for Adult Age Outs. There are not yet resources available at the adult facilities to provide equal access to programming in comparison to the YSC, consistent with appropriate security measures and assuring public safety. The county is evaluating what facilities, resources and staffing may be necessary in order to provide the same level of programming that is provided to juveniles for adults.

Juvenile Division Data

The juvenile division data provides information for any occasion during the first quarter of 2019 when a youth spent time in restrictive housing.¹ Prior to placement in restrictive housing, a youth may be placed in their room for a cool down of up to two hours.² The first quarter data report, attached as Exhibit A, includes each incident of a youth being placed in restrictive housing following an initial two hour cool down. The Independent Monitor's data for the YSC only captured youth who spent more than 4 hours³ in their room during a 24-hour period; our data includes all youth who spent any time in restrictive housing. A second data report, attached as Exhibit B, lists the use of room confinement to address security, maintenance, or emergency issues, specifically in this case because staffing shortages compromised facility security for a short period of time.

The juvenile division's data is presented with each row representing one incident of restrictive housing, on the date on which the incident occurred, along with the number of minutes the youth experienced restrictive housing. During Q1, there were 51 incidents of restrictive housing at YSC. The amount of time spent on restrictive housing ranged from 5 to 205 minutes, with an average of 59 minutes (beyond the cool down period).

In the data report attached as Exhibit A, a written description of the incident or situation that led to a youth being housed in a room alone is provided under the column labelled "documentation." Multiple sources of information were reviewed in an effort to provide a thorough description of each incident, yet there remain some events of restrictive housing that occurred without thorough documentation of a threat of imminent and significant physical harm. In Q1, there were 4 uses of restrictive housing that had no documentation.

On January 1st, 7th, and 20th, significant and unexpected staffing shortages (8 staff absent on January 1 alone) resulted in a facility-wide modified programming schedule and youth were not granted their full amount of free time outside of their room. This is listed in the attached Exhibit B, a report on time in operational/facility hold status.⁴

Currently, the juvenile division uses Program Modifications as a disciplinary response to behavior. Receiving a Program Modification results in the youth losing unstructured free time and they will alternatively spend additional time in their room. Many Program Modifications, and subsequent loss of free time, are in response to a youth who is presenting a security issue and is in need of time to regain control over their behavior. Without a consistent methodology to track that all youth are reintegrated into programming once they regain control over their behavior, the juvenile division is unable to confirm

¹ Per policy, the following do not constitute restrictive housing: processing a youth at booking, placing a youth in their room for up to two hours for a cool down if needed for the youth to regain control over his/her behavior, placing a youth in an individual dorm for a short period of time to address security, maintenance, or emergency issues; placing a youth in an individual dorm during an ordinary sleeping or rest period; placing a youth in the Health Clinic under Medical or Mental Health observation; placing a youth in a single dorm to maintain compliance with PREA; keeping youth detained under RCW 13.32A (Becca Bill).

² A cool down is a period of time, not exceeding two hours, when a youth is sent to their dorm because they are creating a security issue, with the intent that the youth regain control over his/her behavior during the cool down.

³ The independent Monitor also believed that Ordinance 18637 had an absolute prohibition on the use of restrictive housing beyond 4 hours in a 24-hour period, which was not required by the Ordinance.

⁴ DAJD's hiring challenges and the many steps that the department has taken to decrease the number of vacant Juvenile Detention Officer and Corrections Officer positions have been well documented.

that in Q1 each use of restrictive housing was in response to a youth posing a threat of imminent and significant physical harm. The juvenile division is moving toward a model that will no longer use Program Modifications as a response to behavior.

The documentation of cool downs and restrictive housing will dramatically improve with the implementation of a new tracking form in May 2019. The new form will assist the juvenile division in routinely reviewing their operations and data, and will provide confirmation that a youth in restrictive housing has received assessments and evaluations in alignment with policy. For the first quarter of 2019, we are unable to confidently report that assessments occurred in alignment with the appropriate timeline. In the second quarter, with the implementation of the new tracking forms, we are confident there will be a drastic improvement in the documentation of both the nature of the issue requiring restrictive housing and the required monitoring of the youth. An improvement in documentation will support the checks and balance process of assuring that any youth experiencing restrictive housing is assessed and evaluated as necessary.

When juveniles become AAOs and transition to adult facilities, staff will provide an orientation in order to facilitate a smooth transition and to understand the expectations of an adult facility. Our developing strategies in the juvenile division include replacing Program Modifications with restorative justice practices, and the improved tracking of behavior and assessments, will result in a reduction in the use of restrictive housing except as is necessary to prevent imminent and significant physical harm.

Adult Division Documentation

In the first quarter of 2019, there were 12 inmates who were subject to King County Ordinance # 18637 and were placed in restricted housing for some period of time. The table attached as Exhibit C provides details about each instance of restricted housing of a qualifying young adult, the start and end times of their restricted housing, the reasons for the infractions that led to the restricted housing, and whether a classification review was held and when.

All periods of restricted housing were preceded by an infraction that was documented in DAJD's electronic system of record. In addition, all periods of restricted housing were followed by a classification review. Each infraction was documented with a standard infraction record in the classification system, and, after each hearing, a classification supervisor provided a narrative description of the infraction and outcome of the hearing.

Half of the infractions (9 of 18) that resulted in periods of restricted housing involved fighting or inmate on inmate assaults. In some instances, the assault was severe enough that corrections staff requested an exploration of filing of additional assault charges against the inmate(s). In one case, the inmate had serious and multiple PREA allegations, and many keep separates due to prior fights and assaults as to make the AAO's placement in any other area of the jail challenging.

As DAJD moves forward with more comprehensive implementation and documentation of the ordinance and associated policy, documentation of the reasons for initial and continued placement of a qualifying inmate into restricted housing will be expanded. In addition, DAJD will continue to work with Jail Health Services to ensure that inmates will be evaluated by medical and mental health professionals if they remain in restricted housing for extended periods of time.

DAJD expects full implementation of King County Ordinance # 18637 in the adult divisions during the second quarter of 2019. In addition, and as support to the policy and training components, a number of

forms and checklists that the juvenile division is utilizing are being adapted for use in the adult divisions. The use of similar forms to the juvenile division will allow for common data collection and analysis. The adult divisions will also develop a restrictive housing timeline visual aid to assist staff in accurately assessing young adults in the adult facilities for compliance with policy.

Finally, Classification staff will develop written guidelines to complement new violation sanction tiers for use with new policy and practice, which will not include the use of restrictive housing unless necessary to prevent imminent and significant physical harm to self or others. The tool will make clear to staff what sanction options are available for General, Serious and Major infractions. The tool is intended to be used with the behavior management plans that Classification staff are also developing.

Youth Services Center Report
Restrictive Housing in Q1 2019

ID	Date	Minutes in Restrictive Housing	Documentation	Assessments Completed per Policy?
1	1/4/2019	70	Youth entered library to fight ***** (peer). Youth broke line to engage in fight.	N
2	1/5/2019	30	No available documentation.	N
3	1/9/2019	110	Youth splitting time with another youth.	N
4	1/9/2019	25	Youth attacked peer in the main dayroom. Youth stated he did not like ***** (peer). (Youth attacked out of the blue.) Youth ate dinner in the day room and came out to shower.	N
5	1/9/2019	25	The two had words over a chair and issues of disrespect. Youth splitting time with another youth.	N
6	1/12/2019	55	While coming back from the gym at 2100, ***** used gang signs while passing multiple halls. Youth did not seem to care when redirected. He used profanity such as 'B***' to staff. Once back in his dorm, youth told staff 'You better not be working tomorrow'. Along with 'You ugly ass b****, I don't like you.'	N
7	1/13/2019	30	Youth faced off with peer. Youth had to be escorted to his room by staff. Youth cursed at and threatened peer.	N
8	1/16/2019	30	Youth taken out to courtyard for gym and they refused to follow directives. Code 1/2 had to be called to bring youth back into unit. Both youth had to physically be placed into their dorms.	N
9	1/16/2019	15	Youth was slow to his room resulting in a Code 1 to be called. Youth was aggressive with peers, calling them 'bitch ass n*****', 'fuck you'. Threatened to fight peers. Youth threw water and milk all over upper dayroom. Youth threw roll of toilet paper at staff.	N
10	1/16/2019	5	Code 1. Youth refused to go into his dorm after gym. He attempted to use the phone after being told he is not allowed due to him being on 'shifts'. Force was used to get him into his dorm.	N
11	1/18/2019	190	Code 1 - should go back in after his shower and went over to talk on the phone instead. Youth refused 2nd period school.	N
12	1/21/2019	40	Fight with ***** (peer) in the gym.	N
13	1/21/2019	25	Went to his room early for trading food and the "N word". Youth is on shifts, allowed youth to attend group discussion for structure.	N
14	1/23/2019	15	No available documentation.	N

Youth Services Center Report
Restrictive Housing in Q1 2019

15	1/27/2019	15	Youth fought detainee, ate lunch in unit.	N
16	1/27/2019	15	Youth fought detainee, ate lunch in unit, refused library time.	N
17	1/29/2019	70	Youth staying in room per supervisor until he is released today, due to safety concerns.	N
18	1/29/2019	15	Youth displayed aggression towards staff when a Code 1 was called. Youth began to throw food at staff. Use of Force necessary as youth continued to resist.	N
19	1/29/2019	85	Youth in room on time out per behavior plan. Stayed in room for 4th period due to volunteer program only able to take 3 students.	N
20	2/1/2019	80	Youth was attacked by detainee ***** and youth attacked ***** back. Splitting time with peer. Came out of dorm at 2:45PM to see nurse and came out at 4:20PM to get books.	N
21	2/5/2019	25	After youth received a time out, he come out and threatened to attack me (staff) if I ever 'talked to him that way again" or on his last day. Youth received shower, ate in day room and went to gym.	N
22	2/6/2019	25	Youth is splitting time with another youth in same unit.	N
23	2/8/2019	10	Youth splitting time with another youth.	N
24	2/9/2019	30	Youth on Specific intervention Program	N
25	2/10/2019	15	Youth on Specific intervention Program	N
26	2/13/2019	70	Youth attacked peer ***** as he was being released. Attack seemed to be unprovoked.	N
27	2/13/2019	25	Physically attacked peer.	N
28	2/14/2019	205	Youth stated "Watch when I piss in a cup and throw it at you". Continued to yell derogatory comments to staff from inside room including "Faggot", "C****", "You're a dirty slut", "B*****", etc.	N
29	2/14/2019	25	No available documentation.	N
30	2/16/2019	60	Youth stated "Watch when I piss in a cup and throw it at you". Continued to yell derogatory comments to staff from inside room including "Faggot", "C*****", "You're a dirty slut", "B*****", etc.	N
31	2/18/2019	115	Time out for behavior with peer.	N
32	2/18/2019	100	Youth had gloves in room after multiple directives to not keep gloves in his room. Youth displayed gloves blown up like balloons to shift at his window	N
33	2/18/2019	25	Code 1 with use of force, youth was forced back to his room by staff.	N

Youth Services Center Report
Restrictive Housing in Q1 2019

34	2/18/2019	10	Youth has had a negative attitude since Nora Hall went to gym. Not following staff directives, in the unit and the gym. The youth threw food all over the main and lower dayrooms and threw 2 food trays on the ground. Supervisor had to be called down because of his action.	N
35	2/19/2019	10	In room due to program modification. Chose to stay in room during library time.	N
36	2/20/2019	10	No available documentation.	N
37	3/10/2019	30	Physical altercation with **** (peer).	N
38	3/11/2019	205	Youth failed to follow teacher directions, ripped up school folder, Code 1, failed to go to his dorm in 10 sec.	N
39	3/11/2019	55	Received a time out due to disrespect to staff and teacher. Serving PM from Code #1 on Day Shift.	N
40	3/16/2019	105	Youth had to be physically moved during a Code 1. Youth attacked peer during lunch.	N
41	3/16/2019	60	Code 1 with threats of causing continuous codes, youth tearful and visibly escalating.	N
42	3/17/2019	135	Youth received shifts for yelling "Oh3 West Seattle" after being asked to stop yelling from his dorm. Youth also yelled "Hey blood". Youth splitting shifts with peer in same unit.	N
43	3/21/2019	80	Youth went into dorm #5 and hid under bottom bunk (verbally pretended to be in #4) and made it look like there was a body in #4 bunk. Major breach of security resulting in a PREA investigation.	N
44	3/23/2019	180	Youth knew **** was hiding in his dorm (#5).	N
45	3/23/2019	70	Youth lunged at staff out of his room with the intent to harm. Highly aggressive after staff attempted to talk with youth about behavioral issues. Youth responded by standing up, fists clenched, and swearing at the staff. Door had to be shut with force to secure youth.	N
46	3/23/2019	25	Inappropriate language towards staff, making false accusations about several acts with staff and verbal threats ("I'm going to beat you up").	N
47	3/23/2019	25	Youth went into dorm #5 and hid under bottom bunk (verbally pretended to be in #4) and made it look like there was a body in #4 bunk. Major breach of security resulting in a PREA investigation.	N
48	3/26/2019	25	Youth agitated following a Code 1 and needed to cool down. Received multiple time outs. Chose to stay in dorm for 5th period of school.	N

Youth Services Center Report
Restrictive Housing in Q1 2019

49	3/28/2019	20	Youth flooded his dorm.	N
50	3/31/2019	135	When asked to stop rapping/yelling out of room, youth said "Oh BD you're pissing me the f*** off". After youth persisted in calling staff a b**** repeatedly from room, despite numerous warnings to stop.	N
51	3/31/2019	105	Youth was verbally aggressive towards (peer) and then began to swing. Once staff responded youth was swinging on staff.	N
Splitting time: When two youth are living in the same unit and it has not been safe for them to be out of their dorm at the same time (they recently fought or refuse to problem-solve with one another), the staff will alternate when each youth is out of their room.				

Time in Operational/Facility Hold Status

ID	Date	Minutes in Facility Hold*	Staff shortage impacting operations?	Documentation
1	1/1/2019	160	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
2	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
3	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
4	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
5	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
6	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
7	1/1/2019	130	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
8	1/1/2019	100	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
9	1/1/2019	70	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
10	1/1/2019	70	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
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17	1/1/2019	55	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
18	1/1/2019	55	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
19	1/1/2019	40	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
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31	1/1/2019	40	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
32	1/1/2019	40	Y	0715hrs Due to staff shortage (4 unit staff, no rovers and Post 2 closed) programming modified for today. Gym (30 mins due to staff shortage).
33	1/7/2019	55	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.

Time in Operational/Facility Hold Status

34	1/7/2019	55	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.
35	1/7/2019	40	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.
36	1/7/2019	40	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.
37	1/7/2019	25	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.
38	1/7/2019	10	Y	Due to JDO/Teacher meeting and teachers meeting there was only school 4th and 5th period.
39	1/20/2019	15	Y	1st shift. We were 5 staff short. Due to shortage we had to cancel visitation and keep rotation on the floor.
40	1/20/2019	15	Y	1st shift. We were 5 staff short. Due to shortage we had to cancel visitation and keep rotation on the floor.

*Times differ as holds are released as staff are available for individual halls.

**Restrictive Housing in Q1 2019
Adult Age Outs - KCCF and MRJC**

ID	Start Date	Hours in Restrictive Housing	Documentation*	Assessments Completed per Policy?*
1	1/1/2019	316.25	Inmate has PREA allegations and multiple keep separates allowing no other housing options. Regular classification reviews on 1/1/19, 1/24/19, 3/4/19.	N
2	1/1/2019	53.36	Infracted for contraband and inmate/inmate assault. Classification review 1/4/19.	N
3	1/3/2019	26.61	Inmate/Inmate Assault; classification review 1/5/19.	N
4	1/19/2019	32.08	Resisting staff orders; classification review 1/19/19.	N
5	1/25/2019	76.51	Inmate/Inmate Assault; classification review 1/26/19	N
6	1/25/2019	6.51	Refusing orders and placement; Classification review 2/4/19.	N
7	1/26/2019	34.01	Refusing orders and placement; Classification review 2/4/19.	N
8	1/29/2019	12.93	Refusing orders and placement; Classification review 2/4/19.	N
9	1/30/2019	25.38	Inmate/Inmate Assault; classification review 1/31/19	N
10	2/8/2019	365.48	Inmate/Inmate Assault; classification review 2/4/19	N
11	2/8/2019	263.16	Refusing orders and placement; classification review 2/9/19. Review hearing on 2/24/19 and accepted placement. Removed from RH.	N
12	2/22/2019	11.75	Refused placement with other gang members. Classification review 2/20/19	N
13	2/28/2019	20.95	Inmate/Inmate Assault; classification review 3/2/19.	N
14	3/3/2019	75.51	Infracted for disruptive behavior; paperwork not located.	N
15	3/4/2019	4.06	Inmate has PREA allegations and multiple keep separates allowing no other housing options. Regular classification reviews on 1/1/19, 1/24/19, 3/4/19.	N
16	3/17/2019	76.55	Inmate/Inmate Assault; classification review 3/17/19	N
17	3/23/2019	28.70	Infracted for fighting. Classification review 3/24/19.	N
18	3/31/2019	9.90	Inmate/Inmate Assault; classification review scheduled 4/2/19, but inmate refused to come out for review hearing.	N
			*Policy drafted and under review with labor; compliance with ord. req. anticipated 5/1/19	

Adult Age Out (AAO) Restrictive Housing Monitoring Checklist

Name: _____

B/A: _____

Location: _____

Date: _____

COOL DOWN PERIOD - Not to exceed 2 hours, and based on a security issue.

Time In	Time Out	Security Issue Y/N	Infraction Y/N	Description of Issue Fight/Threats	Staff Number

RESTRICTIVE HOUSING

Date/Time AAO placed into RH: _____ Reason for placement: _____ ULTRA: Y / N

Behavioral Description Key:
T- Threats to staff: **TO-**Threats towards others: **P-**Physically aggressive: **D-**Destructive behavior

Moved to Restrictive Housing due to continued risk of imminent and significant physical harm to self, others. Can only be moved to Restrictive Housing for destructive behavior if the behavior creates a risk of imminent and significant physical harm. **Sergeant** and **Shift Commander** Consultation Required. Immediate Notification to JHS requesting an evaluation.

TIME IN	SERGEANT ROUNDS: TIME/NUMBERS	CONTINUED RISK Y/N	JHS MEDICAL ASSESSMENT TIME	JHS PES NOTIFICATION TIME	DESCRIPTION OF BEHAVIOR
Entry to RH			*		
4 th HOUR					
8th HOUR				**	
12 th HOUR					
16 th HOUR				***	
20 TH HOUR					
24 th HOUR					
Replace Daily					

Release from Restrictive Housing

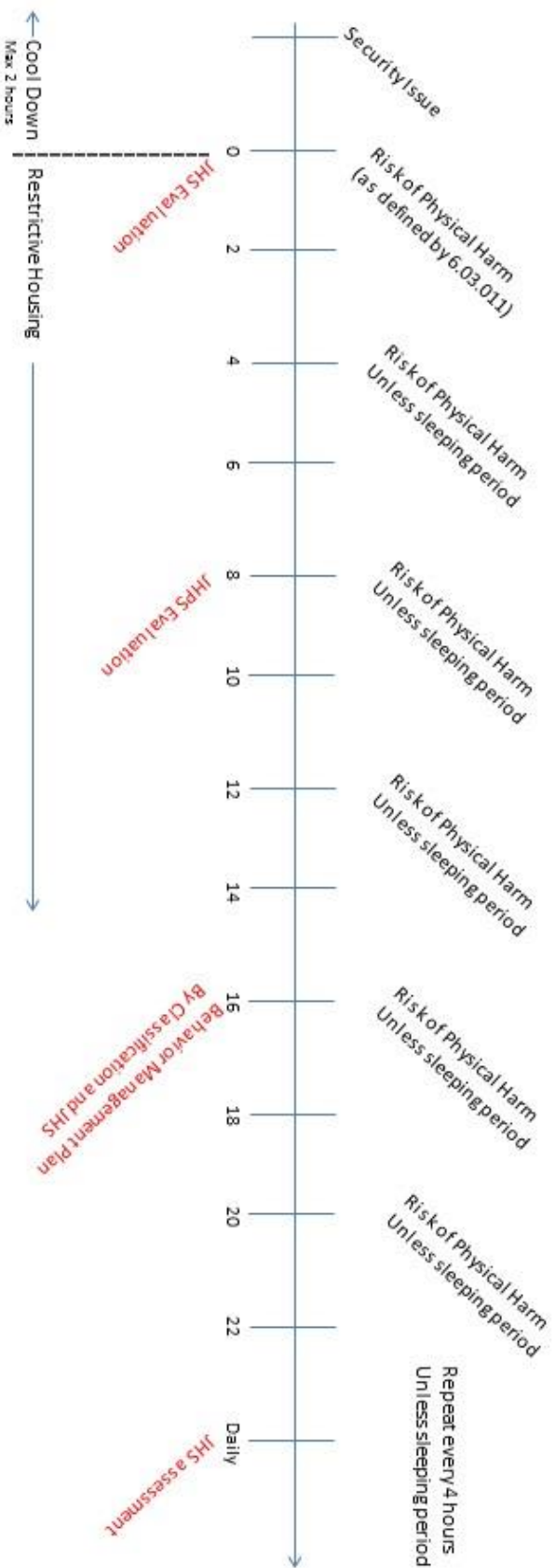
Date: _____ Time: _____

*JHS must be notified upon entry to RH

 AAO continues in RH after 8 Hours the duty **Sergeant is required to request a referral to JHS PES staff.

 ***AAO continues in RH after 16 Hours the duty **Sergeant, JHS** and **Classification Staff** shall consult to develop a Behavioral Management Plan. MDT may be requested as needed. JHS shall assess daily.

AAO Restrictive Housing



Refer to DAJD Policy 6.03.011 "Adult Age-Out Inmates" for additional information

Request for Proposals (RFP)



Department of Executive Services
Finance and Business Operations Division
Procurement and Payables Section
206-263-9400 TTY Relay: 711

ADVERTISED DATE: APRIL 18, 2019

RFP Title: Restrictive Housing Monitor Consultant
RFP Number: 1096-19-VLN
Due Date: May 9, 2019 - 2:00 p.m. PT
Buyer: Victoria Nakamichi vicki.nakamichi@kingcounty.gov 206- 263-9299
Alternate Buyer: Linda McKinly linda.mckinly@kingcounty.gov 206-263-9701

**No PRE-PROPOSAL
CONFERENCE**

Sealed Proposals are hereby solicited and will only be received by:
King County Procurement & Payables Section
Chinook Building, 3rd Floor
401 Fifth Avenue
Seattle, WA 98104
Office Hours: 8:00 a.m. – 5:00 p.m. PT
Monday - Friday

We acknowledge that all Addenda issued for this RFP have been examined as part of the proposal documents.

Company Name

Address

City/State /Postal Code

Signature

Authorized Representative / Title

Contact Name:

Phone:

Email

Company Headquarters Located in State/Province of

SCS Certification number (if applicable) (See Attachment B)

This Request for Proposal will be provided in alternative formats such as Braille, large print, audiocassette or computer disk for individuals with disabilities upon request.

DEFINITION OF WORDS AND TERMS APPLICABLE ONLY TO INSTRUCTION OF THE RFP

Words and terms shall be given their ordinary and usual meanings. Where used in the Contract documents, the following words and terms shall have the meanings indicated. The meanings shall be applicable to the singular, plural, masculine, feminine and neuter of the words and terms.

Addendum/Addenda: Written additions, deletions, clarification, interpretations, modifications or corrections to the solicitation documents issued by the County during the Proposal period and prior to contract award.

Best and Final Offer: Best and Final Offer shall consist of the Proposer's revised proposal and any supplemental information requested during the evaluation of Proposals. In the event of any conflict or inconsistency in the items submitted by the Proposer, the items submitted last govern.

Competitive Range: The Competitive Range consists of the Proposers that have a reasonable chance of selection for contract award. The Proposal Evaluators (PE) shall conduct the initial evaluation of the proposals considering price and Evaluation Factors established in the RFP. The Buyer and Project Manager/PE together shall compare the evaluations and determine the Competitive Range. The Competitive Range may be reduced after the evaluation of additional information, Best and Final Offers and negotiations.

Criteria, Evaluation Criteria or Evaluation Factors: The elements cited in the RFP that the County shall examine to determine the Proposers understanding of the requirements; technical, business and management approach; key personnel; qualification and experience of the Proposer; potential for successfully accomplishing the Contract; risk allocation and the probable cost to the County.

Days: Calendar days.

Measurable Amount of Work: For purposes of payment of a living wage, Measurable Amount of Work means a definitive allocation of an employee's time that can be attributed to work performed on a specific matter, but that is not less than a total of one hour in any one week period.

Proposal Evaluators (PE): Team of people appointed by the County to evaluate the proposals, conduct discussions, call for Best and Final Offers, score the proposals and make recommendations.

Proposer: Individual, association, partnership, firm, company, corporation or a combination thereof, including joint ventures, submitting a proposal to perform the Work.

RFP: Request for Proposals, also known as the solicitation document.

Reference Documents: Reports, Specifications, and drawings which are available to Proposers for information and reference in preparing proposals but not as part of this Contract.

SECTION 1 Instruction to Proposers

1.1 Proposal Submission

Proposers are encouraged to use recycled paper in the preparation of additional documents submitted with this solicitation, and shall use both sides of paper sheets where practicable.

Sealed proposals shall contain all required attachments and information and be submitted to King County (hereinafter "County") no later than the date, time and place stated on the front of this RFP or as amended. The proposals shall show the title and number, the due date specified, and the name and address of the Proposer on the face of the envelope. Proposers are cautioned that failure to comply may result in non-acceptance of the proposal. The Proposer accepts all risks of late delivery of mailed proposals or of misdelivery regardless of fault. Proposals properly and timely submitted will be publicly opened.

Proposals will only be accepted from Contractors able to complete the delivery of goods or services described in the specifications. Joint ventures shall submit one proposal for the team, with accompanying proof of the joint venture agreement.

If a company chooses not to submit a proposal, the County requests the company advise the Buyer by email if they desire to remain listed for the subject of this RFP and state the reason they did not submit a proposal.

1.2 Electronic Commerce and Correspondence

King County is committed to reducing costs and facilitating quicker communication to the community by using electronic means to convey information. As such, most Invitations to Bid, Requests for Proposal, and Requests for Qualifications as well as related exhibits, appendices, and issued addenda can be found on the King County Internet Web Site, located at www.kingcounty.gov/procurement Current bidding opportunities and information are available by accessing the "**Solicitations**" tab in the left hand column.

King County Procurement Services features an **Online Vendor Registration (OVR)** program that permits vendors, consultants and contractors to register their business with the County. This OVR system allows interested parties to either directly register their firm by creating a unique User ID, or to visit the website as a guest. Information regarding bid documents will be available to all users; however, site visitors accessing the site as a guest will not be able to document their interest in a project or add their name to the document holder's list. They will receive no automatic notification of issued addenda. As such, the County encourages full registration in order to directly communicate with document holders regarding any issued addenda or other important information concerning the solicitation.

After submittals have been opened in public, the County will post a listing of the businesses submitting proposals, and later, any final award determination.

Full information on vendor registration is available at the website.

1.3 Late Proposals

Proposals, modifications of proposals, received at the office designated in the solicitation after the exact hour and date specified for receipt will not be considered.

1.4 Cancellation of RFP or Postponement of Proposal Opening

The County reserves the right to cancel this RFP at any time. The County may change the date and time for submitting proposals prior to the date and time established for submittal.

1.5 Proposal Signature

Each proposal shall include a completed Proposal response form, the first page of this document, signed by an authorized representative of the Proposer.

1.6 Addenda

If at any time, the County changes, revises, deletes, clarifies, increases, or otherwise modifies the RFP, the County will issue a written Addendum to the RFP.

1.7 Questions and Interpretation of the RFP

No oral interpretations of the RFP will be made to any Proposer. All questions and any explanations must be requested in writing and directed to the Buyer and Alternate Buyer no later than **five (5) Days** prior to the due date specified in the solicitation. Oral explanations or instructions are not binding. Any information modifying a solicitation will be furnished to all Proposers by addendum. **Communications concerning this proposal, with other than the listed Buyer may cause the Proposer to be disqualified.**

1.8 Examination of Proposal and Contract Documents

The submission of a proposal shall constitute an acknowledgement upon which the County may rely that the Proposer has thoroughly examined and is familiar with all requirements and documents pursuant with the RFP, including any addenda and has reviewed and inspected all applicable statutes, regulations, ordinances and resolutions addressing or relating to the goods or services to be provided hereunder.

The failure of a Proposer to comply with the above requirement shall in no way relieve the Proposer from any obligations with respect to its proposal or to any Contract awarded pursuant to this RFP. No claim for additional compensation shall be allowed which is based upon a lack of knowledge or misunderstanding of this RFP.

1.9 Cost of Proposals and Samples

The County is not liable for any costs incurred by Proposer in the preparation and evaluation of proposals submitted. Samples of items required must be submitted to location and at time specified. Unless otherwise specified, samples shall be submitted with no expense to the County. If not destroyed by testing, samples may be returned at the Proposer's request and expense unless otherwise specified.

1.10 Modifications of Proposal or Withdrawal of Proposal Prior to Proposal Due Date

At any time before the time and date set for submittal of proposals, a Proposer may submit a modification of a proposal previously submitted to the County. All proposal modifications shall be made in writing, executed and submitted in the same form and manner as the original proposal.

Proposals may be withdrawn by written notice received prior to the exact hour and date specified for receipt of proposals. A proposal also may be withdrawn in person by a Proposer or authorized representative provided their identity is made known and they sign a receipt for the proposal, but only if the withdrawal is made prior to the exact hour and date set for receipt of proposals. All requests for modification or withdrawal of proposals, whether in person or written, shall not reveal the amount of the original proposal.

1.11 Proposal Withdrawal After Public Opening

Except for claims of error granted by the County, no Proposer may withdraw a proposal after the date and time established for submitting proposals, or before the award and execution of a Contract pursuant to this RFP, unless the award is delayed for a period exceeding the period for proposal effectiveness.

Requests to withdraw a proposal due to error must be submitted in writing along with supporting evidence for such claim for review by the County. Evidence must be delivered to the County within two (2) Days after request to withdraw. The County reserves the right to require additional records or information to evaluate the request. Any review by the County of a proposal and/or any review of such a claim of error, including supporting evidence, creates no duty or liability on the County to discover any other proposal error or mistake, and the sole liability for any proposal error or mistake rests with the Proposer.

1.12 Error and Administrative Corrections

The County shall not be responsible for any errors in proposals. Proposers shall only be allowed to alter proposals after the submittal deadline in response to requests for clarifications or Best and Final Offers by the County.

The County reserves the rights to allow corrections or amendments to be made that are due to minor administrative errors or irregularities, such as errors in typing, transposition or similar administrative errors.

1.13 Proposal Content Requirements

A. The proposal shall contain the following items and follow the sequence outlined below:

Sec. 1 & 2 Instructions and Information about the RFP Process

Cover sheet with Proposer's Signature

Compliance Forms:

- [Equal Benefit Declaration](#), if applicable
- [Internal Revenue Service Form KC W-9*](#)

*If not on file with the County within the past two years.

Compliance forms are available for download at www.kingcounty.gov/procurement/forms.

Sec 3 - Scope of Work and Proposal Requirements

Optional – Executive Summary or Overview of Proposal – two pages maximum.

Proposer's Response to RFP

Attachment A - Pricing Form

If applicable, **Attachment B** Small Contractors and Suppliers (SCS) participation Information requested in Section 2.2.

Contract: Identify any exceptions to terms and conditions and attachments with a signed letter from an attorney or authorized representative

B. Submit **two (2) copies** of the proposal and attachments. One original [marked ORIGINAL] shall be unbound.

1. Proposers shall submit with their proposal an exact duplicate of the original proposal, excluding the pricing information, on **two (2) flash drives**, one (1) in Adobe Acrobat [™] format, and one (1) flash drive in native format. Proposers shall label the format on each disk.

1.14 Compliance with RFP Terms, Attachments and Addenda

- A. The County intends to award a Contract based on the terms, conditions, attachments and addenda contained in this RFP. Proposers shall submit proposals, which respond to the requirements of the RFP.
- B. Proposers are strongly advised to not take exceptions to the terms, conditions, attachments and addenda; exceptions may result in rejection of the proposal. An exception is not a response to a proposal requirement. If an exception is taken, a 'Notice of Exception' must be submitted with the proposal. The 'Notice of Exception' must identify the specific point or points of exception and provide an alternative.
- C. The County reserves the right to reject any proposal for any reason including, but not limited to, the following –
 - Any proposal, which is incomplete, obscure, irregular or lacking necessary detail and specificity;
 - Any proposal that has any qualification, limitation, exception or provision attached to the proposal;
 - Any proposal from Proposers who (in the sole judgment of the County) lack the qualifications or responsibility necessary to perform the Work;
 - Any proposal submitted by a Proposer which is not registered or licensed as may be required by the laws of the state of Washington or local government agencies;
 - Any proposal, from Proposers who are not approved as being compliant with the requirements for equal employment opportunity; and
 - Any proposal for which a Proposer fails or neglects to complete and submit any qualifications information within the time specified by the County.
- D. The County may, at its sole discretion, determine that a proposal with a 'Notice of Exception' merits evaluation. A proposal with a 'Notice of Exception' not immediately rejected may be evaluated, but its competitive scoring shall be reduced to reflect the importance of the exception. Evaluation and negotiation shall only continue with the Proposer if the County determines that the proposal continues to be advantageous to the County.
- E. In consideration for the County's review and evaluation of its proposal, the Proposer waives and releases any claims against the County arising from any rejection of any or all proposals, including any claim for costs incurred by Proposers in the preparation and presentation of proposals submitted in response to this RFP.
- F. Proposals shall address all requirements identified in this RFP. In addition, the County may consider proposal alternatives submitted by Proposers that provide cost savings or enhancements beyond the RFP requirements. Proposal alternatives may be considered if deemed to be in the County's best interests. Proposal alternatives shall be clearly identified.

1.15 Acceptance of Contract, Attachments and Addenda

Proposer(s) shall review the Contract, and all its attachments, and submit a signed letter stating they intend to comply with all the terms and conditions. The signed letter shall be submitted with the proposal.

If there are exceptions taken to the terms and conditions in **Exhibit 1 - Contract** and any of its attachments, the Proposer sign an exception letter describing reasoning for the exceptions and include the exception letter and **Exhibit 1 - Contract** as an attachment to the proposal, identifying the exceptions and proposed changes. All proposed changes shall be tracked the Contract using the tracking changes feature in Microsoft Word®.

The project schedule is such that it requires a very efficient proposal review and negotiation period. It is very important that any possible roadblocks or issues the Proposer may have with the terms and conditions are identified during the proposal process and resolved prior to proceeding with the Contract negotiations.

1.16 Forms Required before Contract Signing

The Proposer shall submit within five (5) Days of notification from the County the insurance certificate and endorsement meeting the levels of coverage set forth in **Exhibit 1 – Contract**.

1.17 Collusion

If the County determines that collusion has occurred among Proposers, none of the proposals from the participants in such collusion shall be considered. The County's determination shall be final.

1.18 Proposal Price and Effective Date

- A. The proposal price shall include everything necessary for the prosecution and completion of Work under the Contract including but not limited to furnishing all materials, equipment, supplies, tools, plant and other facilities and all management, supervision, labor and service, except as may be provided otherwise in this RFP. Proposed Prices shall include all freight charges, FOB to the designated delivery point. Washington State sales/use taxes and Federal excise taxes shall not be included in the proposal price. The County shall pay any Washington State sales/use taxes applicable to the Contract price or tender an appropriate amount to the Contractor for payment to Washington State. The County is exempt from Federal excise taxes. All other government taxes, duties, fees, royalties, assessments and charges shall be included in the Proposal price.
- B. In the event of a discrepancy between the unit price and the extended amount for a proposal item, the County reserves the right to clarify the Proposal.
- C. The proposal shall remain in effect for One Hundred and Twenty (120) Days after the proposal due date, unless extended by agreement.

1.19 Procedure When Only One Proposal Is Received

If the County receives a single responsive, responsible proposal, the County may request an extension of the proposal acceptance period and/or conduct a price or cost analysis on such proposal. The Proposer shall promptly provide all cost or pricing data, documentation and explanation requested by the County to assist in such analysis. By conducting such analysis, the County shall not be obligated to accept the single proposal; the County reserves the right to reject such proposal or any portion thereof.

1.20 Protest Procedures

King County has a process in place for receiving protests based upon the RFP or contract awards. The protest procedures are available at <http://www.kingcounty.gov/depts/finance-business-operations/procurement/for-business/do-business/protest.aspx>

SECTION 2 PROPOSAL EVALUATION AND CONTRACT AWARD

2.1 Proposal Evaluation

- A. The County will evaluate proposals using the criteria set forth in this RFP. If deemed necessary, written and/or oral discussions, site visits or any other type of clarification of proposal information may be conducted with those Proposers whose proposals are found to be potentially acceptable. Identified deficiencies, technical requirements, terms and conditions of the RFP, costs or prices, and clarifications may be included among the items for discussion. The discussions are intended to give Proposers a reasonable opportunity to resolve deficiencies, uncertainties and clarifications as requested by the County and to make the cost, pricing or technical revisions required by the resulting changes. In addition, the County may request additional business and administrative information.
- B. The County may find that a Proposer appears fully qualified to perform the Contract or it may require additional information or actions from a Proposer. In the event the County determines that the proposal is not within the Competitive Range the County shall eliminate the proposal from further consideration.
- C. The evaluation of Proposers' proposals and additional information may result in successive reductions of the number of proposals that remain in the Competitive Range. If applicable to the procurement, the firms remaining in the Competitive Range may be invited to continue in the proposal evaluation process, and negotiations.
- D. Upon completion of discussions, the County may issue to all remaining potentially acceptable Proposers within the competitive range a request for Best and Final Offers. The request shall include notice that discussions are concluded, an invitation to submit a revised proposal with a Best and Final Offer, and a new submittal date and time.
- E. The County may enter negotiations with one or more Proposers to finalize Contract terms and conditions. Negotiation of a Contract shall be in conformance with applicable federal, state and local laws, regulations and procedures. The objective of the negotiations shall be to reach agreement on all provisions of the proposed Contract. In the event negotiations are not successful, the County may reject proposals.
- F. The County reserves the right to make a Contract award without written and/or oral discussions with the Proposers and without an opportunity to submit Best and Final Offers when deemed to be in the County's best interests. Contract award, if any, shall be made by the County to the responsible Proposer whose proposal best meets the requirements of the RFP, and is most advantageous to the County, taking into consideration price and the other established evaluation factors. The County is not required to award a Contract to the Proposer offering the lowest price. The County shall have no obligations until a Contract is signed between the Proposer and the County. The County reserves the right to award one or more contracts as it determines to be in its best interest.

2.2 King County Contracting Opportunities Program

Attachment B – SCS Submission Form must be completed to be eligible to receive available points for SCS participation. Include one original and one copy of the completed SCS Submission Form, and include this document as the first page of your submission.

The purpose of the King County Contracting Opportunities Program is to maximize the participation of Small Contractors and Suppliers (SCS) through the use of rating points in the award of King County competitively solicited contracts for the acquisition of technical services. The program is open to all firms that are certified as an SCS by King County's Business Development and Contract Compliance Office.

A "Small Contractors and Suppliers" (SCS) means that a business and the person or persons who own and control it are in a financial condition, which puts the business at a substantial disadvantage in attempting to compete for public contracts. The relevant financial condition for eligibility under the Program is set at fifty percent (50%) of the Federal Small Business Administration (SBA) small business size standards using the North American Industrial Classification System (NAICS), and an Owners' Personal Net Worth less than \$1,320,000.

A "Certified Firm" means a business that has applied for participation in King County's Contracting Opportunities Program, and has been certified as an SCS by the King County Business Development and Contract Compliance (BDCC) office. Information about becoming a Certified Firm, as well as a list of Certified Firms, may be obtained by visiting the King County's Contracting Opportunities Program Website address: www.kingcounty.gov/exec/BusinessDev/contractingopps.aspx or contacting the BDCC office at 206-205 0711.

In the evaluation of proposals, points will be allotted for SCS participation. King County will count only the participation of SCSs that are certified by King County at the date and time of proposal submittal. After tabulation of the selection criteria points of all prime submitters points shall be added to the score of all proposals that meet at least one of the two following sub-criterion:

1. If the Prime submitter who is an SCS firm and includes the SCS certification number on page one of this submittal is eligible to receive the maximum points for this criterion.
2. If the Prime submitter is not an SCS but will use SCSs for at least 10% of the total contract labor hours in the work to be performed in this contract, and who complete the following table and include it in their proposal submission:

SCS participation shall be counted only for SCSs performing a commercially useful function according to custom and practice in the industry. A commercially useful function is defined as a specific scope of work for which the SCS has the management and technical expertise to perform using its own workforce and resources.

2.3 Responsive and Responsible

Responsive

The County will consider all the material submitted by the Proposer, and other evidence it may obtain otherwise, to determine whether the Proposer is in compliance with the terms and conditions set forth in this RFP.

Responsible

In determining the responsibility of the Proposer, the County may consider:

- the ability, capacity and skill to perform the Contract and provide the service required;
- the character, integrity, reputation, judgment and efficiency;
- financial resources to perform the Contract properly and within the times proposed;

- the quality and timeliness of performance on previous contracts with the County and other agencies, including, but not limited to, the effort necessarily expended by the County and other agencies in securing satisfactory performance and resolving claims;
- compliance with federal, state and local laws and ordinances relating to public contracts;
- other information having a bearing on the decision to award the Contract.

Failure of a Proposer to be deemed responsible or responsive may result in the rejection of a proposal.

2.4 Responsible Contracting

A. Contractor Responsibility – Compliance with Federal, State and Local Law

For all contracts with a value of \$100,000 or more, the selected Proposer must meet the requirements set forth in King County Code 2.93.120 regarding historic compliance with environmental, worker safety, and labor and human trafficking laws. Historic compliance is defined as a minimum of three (3) years preceding the submittal date for the solicitation.

The County shall conduct a review in order to determine the selected Proposer's responsibility related to these areas. Failure to fully answer any responsibility question, or otherwise be out of compliance with the requirements of the code as determined by the County, shall eliminate the Proposer from consideration of award.

- B. Note that the County will issue the "[King County Responsibility Detail & Attestation Form](#)" to the top ranked Proposer, who will then complete the form and return it to the County within a time period to be specified in the transmittal.

2.5 Financial Resources and Auditing

If requested by the County, prior to the award of a contract, the Proposer shall submit proof of adequate financial resources available to carry out the execution and completion of work required by this contract.

King County reserves the right to audit the Contractor throughout the term of this contract to assure the Contractor's financial fitness to perform and comply with all terms and conditions contained within this contract. King County will be the sole judge in determining the Contractor's financial fitness in carrying out the terms of this contract.

2.6 Evaluation Criteria

Proposals will be evaluated on the how well the approach to work, recent and relevant experience, expertise and the ability to perform each of the following qualifications was demonstrated:

Evaluation Criteria		Possible Points
1	Consultant/Firm Experience	300
2	Resumes of Key Personnel	100
3	Specific Approach	250
4	Key Personnel Fully Burdened Rates See Attachment A – Pricing Form	150
5	Small Contractors and Suppliers (SCS) See Attachment B – SCS Submittal Form	80
Written Points Available:		880
Oral Interviews (Optional)		200
Total Points Available Written and Oral Interviews		1080

If an award is not made based on the written evaluations alone, King County may elect to conduct interviews with the top-ranked submitters. If interviews are conducted, they will be worth a total of **200 points**. Final award would then be based on the sum total of the written and oral evaluations.

- A. Pricing will be scored as a percentage of the lowest proposed price. The lowest priced proposal will be awarded the maximum number of points. All other proposers will receive a percentage of the points as their proposed pricing compares to the lowest proposed price.
- B. SCS will be scored on an all-or-nothing basis. The maximum number of points will be awarded to proposers meeting the requirements for SCS participation. Zero points will be awarded to proposers not meeting the requirements.

2.7 News Releases

News releases pertaining to this RFP, the services, or the project to which it relates, shall not be made without prior approval by and then only in coordination with King County.

2.8 Public Disclosure of Proposals

This procurement is subject to the Washington Public Records Act, RCW (Revised Code of Washington) 42.56 et seq. Proposals submitted under this RFP shall be considered public documents unless the documents are exempt under the public disclosure laws. After a decision to award the contract has been made, the proposals shall be available for inspection and copying by the public.

If a Proposer considers any portion of its proposal to be protected under the law, the Proposer shall clearly identify each such portion with words such as “CONFIDENTIAL,”

“PROPRIETARY” or “BUSINESS SECRET.” If the County determines that the material is not exempt from public disclosure law, the County will notify the Proposer of the request and allow the Proposer ten (10) Days to take whatever action it deems necessary to protect its interests. If the Proposer does not take such action within said period, the County will release the portions of the proposal deemed subject to disclosure. By submitting a proposal, the Proposer assents to the procedure outlined in this subsection and shall have no claim against the County on account taken under such procedure.

Type of exemption	Beginning page / location	Ending page / location

SECTION 3 PROJECT SPECIFICATIONS AND SCOPE OF WORK

The Department of Adult and Juvenile Detention (DAJD) is requesting proposals from qualified consultants who provide monitoring and auditing services in detention facilities. Services will include documentation reviews, data analyses, observations of detention center practices, consultations, interviews and/or meetings with detention center administrators, supervisors and staff. The successful Consultant shall issue two reports, one no later than August 1, 2019 and one no later than April 1, 2020. The reports shall evaluate whether the Adult and Juvenile Divisions of DAJD have met the criteria required by King County law and policy and the terms of the monitoring agreement.

3.1 Objective

To assess and report on whether the Adult and Juvenile Divisions of DAJD have met the criteria required by King County law and policy and the terms of a monitoring agreement. The successful Consultant shall bring relevant experience and consulting services focused on issues of restrictive housing and policies.

3.2 Background

In December, 2017, the King County Council passed ordinance 18637 which prohibits restrictive housing of certain defined youth in all King County detention facilities, except when based on the youth's behavior, restrictive housing is necessary to prevent imminent and significant physical harm to the youth or others and less restrictive alternatives were unsuccessful. Restrictive housing of these youth may not be used for disciplinary or punishment purposes. The ordinance does allow for a short-term cooling off period for security reasons.

The ordinance defines the youth to include "a person who is currently confined in a King County detention facility for a charge that was filed in Juvenile Court or based on conduct that occurred before the person's eighteenth birthday where the confinement begins before the person's eighteenth birthday."

The majority of persons covered by the ordinance are currently housed within the Juvenile Division at the Youth Services Center. There is, however, a group of persons housed in adult detention who are covered by the ordinance. These people are over the age of eighteen, and have either "aged out" of juvenile detention, or were detained as juveniles, released on probation or parole and then booked on a probation/parole violation after turning eighteen. This subset of youth is referred to in policy as "adult age outs."

The ordinance requires that all DAJD divisions provide, consistent with appropriate security measures and maintaining public safety, programming, health services, alternatives to secure detention and access to the defense bar and juvenile probation counselors. The ordinance also requires that all juveniles have access to education as required by law (state law requirements for incarcerated persons over the age of eighteen are significantly lower than the requirements in place for persons under the age of eighteen).

The King County Department of Adult and Juvenile Detention includes a Juvenile Division which is responsible for operating the Youth Services Center, and two adult divisions, one responsible for operating the King County Correctional Facility in downtown Seattle and the other responsible for operating the detention center at the Maleng Regional Justice Center in Kent, Washington.

The Juvenile and Adult divisions have developed policies which incorporate the requirements of the Ordinance.

Ordinance 18637 requested the Executive to appoint an independent monitor to report on the implementation of the ordinance. The ordinance called for two monitoring reports, which were issued September 2018 and January 30, 2019.

The County is interested in additional monitoring reports that capture progress on the implementation of policies developed in response to the ordinance.

3.3 Scope of Work

The Consultant shall issue two reports, one no later than August 1, 2019 and one no later than April 1, 2020. The reports shall evaluate whether the Adult and Juvenile Divisions of DAJD have met the criteria required by King County law and policy and the terms of the monitoring agreement. The reports shall include the following:

- A. A review of the number of times restrictive housing was used during the evaluation period consistent with the definitions provided in County policy;
- B. For each use of restrictive housing as defined under the policy, an evaluation of whether such use complied with applicable policy, including:
 - 1) Whether the initial placement, and any subsequent decision to continue placement, was clearly documented and necessary to prevent imminent and significant physical harm to the juvenile or adult age out, or other and less restrictive alternatives were unsuccessful.
 - 2) An evaluation of whether required supervisory reviews provided sufficient information and met the policy criteria.
 - 3) An evaluation of whether required medical and mental health reviews occurred.
- C. Documentation of the level of programming provided to youth in juvenile and adult facilities.
- D. Whether youth had full access to education as required by law.
- E. Whether youth had reasonable access to the defense bar, probation counselors and social service providers in a timely manner, consistent with appropriate security measures and maintaining public safety as required by and defined in county policy.

3.4 Deliverables and Estimated Schedule For Completion

Indicate your ability to meet the proposed schedule as outlined below, or propose an alternative schedule to meet the stated objectives.

Consultant Deliverable (in assumed chronological order)	Estimated Schedule
1. Evaluation period	3 months
2. Deliver first report	August 1, 2019
3. Second evaluation period	8 months
4. Deliver second report	April 1, 2020

3.5 Qualifications

The consultant shall fully demonstrate their ability and proposed key personnel's recent and relevant experience, subject matter expertise, approach to work and ability to perform for each of the following criteria:

A. Experience: Describe your past experience or expertise in each of the following:

- 1) National standards of care for juveniles
- 2) Strategies to reduce racial/ethnic disparities in juvenile justice
- 3) The application and monitoring of objective risk tools to safely reduce the use of detention
- 4) Auditing juvenile facilities records for compliance with policies or standards
- 5) Knowledge of the Prison Rape Elimination Act (PREA) the Juvenile Detention Alternatives Initiative (JDAI), trauma informed care, and how they affect policies and standards
- 6) Providing advice on developing data tracking and reporting systems in a corrections environment

B. Resumes: Include the resumes of key personnel and relevant experience.

C. Specific Approach: Outline your firm's proposed approach for the work including assessment, monitoring, providing recommendations, and reporting. Provide samples of prior reports or work highlighting your skills and experience.

3.6 Proposal Submittal Requirements and Instructions

- A. Resumes for proposed key personnel describing relative experience and recent related examples. The resumes shall also include credentials and years of experience. Resume page count shall not exceed **two (2) pages** for any individual and all resumes shall not exceed **ten (10) pages**.
- B. Proposal page count (excluding resumes) is limited to **twenty (20) pages**, including your firm's proposed key personnel organization chart for the stated RFP scope of work, project examples, product samples, graphics, photographs and tables.
- C. Provide references for similar work performed. Each reference shall include contact name, firm, email address and telephone number.
- D. Provide a proposed, fully-burdened rate for each required position title. Fully-burdened shall be the combination of direct and indirect personnel costs.
(See Attachment A - Pricing Form)
- E. Indicate your ability to meet the proposed schedule as outlined herein, or propose an alternative schedule to meet the stated objectives.

PROPOSAL LABEL

Complete the form below (or reasonable facsimile) and affix to the exterior lower left hand corner of the submission envelope(s), box(es), etc.

URGENT – SEALED PROPOSAL ENCLOSED

Do Not Delay – Deliver Immediately



King County

**King County
Procurement and Payables Section**
Chinook Building, 3rd FL
CNK-ES-0340
401 Fifth Avenue, Seattle, WA 98104

RFP No.: RFP 1096-19-VLN

RFP Title: Restrictive Housing Monitor Consultant

Due Date:

Proposer:

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