



# 2020 AG REQUEST LEGISLATION

## PROHIBIT YOUTH SOLITARY CONFINEMENT

### What needs to change?

There is a growing national consensus that placing juveniles in solitary confinement is both ineffective and inhumane. Washington State must prohibit solitary confinement for juveniles and encourage the use of less restrictive alternatives.

Local governments' efforts to ban solitary confinement have not always been successful. For example, despite efforts to prohibit solitary confinement for juveniles in King County, an independent report found that there were 15 incidents of juveniles being placed in solitary confinement from July 1, 2018 – November 30, 2018.<sup>1</sup>

Additionally, there is no way to track or monitor how often and why institutions use isolation, nor are there model policies in place to ensure consistency.

### Why is this change necessary?

Solitary confinement is harmful to youth, who are still developing and vulnerable. Studies have shown it to be both emotionally and psychologically damaging – and ineffective at improving behavior. Solitary confinement exacerbates stress and other mental health conditions.<sup>2,3</sup>

### Around the US:

Ten states, including California and Texas have passed laws that ban or limit solitary confinement for juveniles. With potential reforms being studied and implemented in other states, we expect many more to follow this trend.<sup>4,5</sup>

### What is the solution? - SB 6112 / HB 2277

This legislation:

- Prohibits the use of solitary confinement as a punitive practice for juveniles;
- Limits the use of isolation to emergency situations with strict time and placement procedures;
- Requires that institutions document any use of isolation or room confinement;
- Establishes a process for the creation of model policies that institutions can use as guidance for when the use of isolation, room confinement, or less restrictive alternatives are appropriate.

### Key Support:

- Washington Department of Children, Youth, and Families
- King County
- American Civil Liberties Union
- TeamChild
- Columbia Legal Services
- Equity in Education
- Legal Counsel for Youth and Children
- Equity in Education
- The Mockingbird Society

### Prime Sponsors:

Sen. Wilson: D

Rep. Peterson: D

1. "Monitoring King County Facilities under Ordinance 18637: A Report to King County Executive," January, 2019, <https://bit.ly/37Pabi9>.
2. Amy Roe, "Solitary confinement is especially harmful to juveniles and should not be used to punish them," November, 2017, <https://bit.ly/2FxxVDx>.
3. ACLU, "Growing Up Locked Down," October, 2012, <https://bit.ly/2T8898U>, pg. 20-46.
4. Talia Kirkland, "Youth solitary confinement continues despite ongoing criticism," January, 2019, <https://fxn.ws/2N8TpTa>.
5. Annie Teigen, "States that Limit or Prohibit Juvenile Shackling and Solitary Confinement," August, 2018, <https://bit.ly/39Y2HLU>.



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LEGISLATIVE BUILDING

“In Ohio, where solitary confinement has been drastically limited, its use dropped 88.6 percent between 2014 and 2015; during the same time period, rates of violence decreased by over 20 percent. The Director of the Ohio Department of Youth, Harvey Reed, stated that solitary confinement, ‘does not make facilities safer. It does not prevent violence or reduce assaults on staff and youth; instead, as the department’s data showed, it increases violence’”

“In December 2012, the Attorney General’s National Task Force on Children Exposed to Violence issued a report that read, among suicides in juvenile facilities, half of the victims were in isolation at the time they took their own lives, and 62 percent had a history of solitary confinement.”

### Solitary confinement laws around the U.S.

\*Indicates there are limits on prohibitions in state administrative policy

