

HB1329_L.001

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.HB17-1329 be amended as follows:

- 1 ✓ Amend printed bill, page 6, line 23, strike "ON AND AFTER JANUARY 1,
2 2018, THE" and substitute "THE".
- 3 ✓ Page 7, line 9, strike "VIOLENCE WITHIN" and substitute "VIOLENCE".
- 4 ✓ Page 7, strike line 10.
- 5 ✓ Page 9, line 6, strike "DOOR," and substitute "DOOR FROM WHICH EGRESS
6 IS PREVENTED,".
- 7 ✓ Page 9, strike lines 8 through 12.
- 8 ✓ Re-letter succeeding sub-subparagraphs accordingly.
- 9 ✓ Page 10, line 6, strike "SUPERVISE,".
- 10 ✓ Page 10, line 17, strike "FULL-TIME" and substitute
11 "THREE-QUARTER-TIME TO FULL-TIME".
- 12 Page 11, line 1, after "TO" insert "TAKE THE NECESSARY STEPS TO".
- 13 Page 11, strike lines 2 through 25 and substitute:
14 "PILOT PROGRAM AS SOON AS POSSIBLE, WHICH MUST BEGIN TO SERVE
15 YOUTH NO LATER THAN JUNE 1, 2018.
16 (VII) (A) CONTRACT THROUGH A COMPETITIVE BID PROCESS WITH
17 AN INDEPENDENT CONTRACTOR OTHER THAN THE INDEPENDENT THIRD
18 PARTY DESCRIBED IN SUBSECTION (4)(b)(VI) OF THIS SECTION TO
19 EVALUATE THE EFFECTIVENESS AND OUTCOME OF THE PILOT PROGRAM.
20 PRIOR TO THE START OF THE PILOT PROGRAM, THE DIVISION AND THE
21 CONTRACTOR SHALL WORK TOGETHER TO IDENTIFY THE DATA POINTS TO
22 BE COLLECTED THROUGHOUT THE PILOT PROGRAM, WHICH MUST INCLUDE,
23 BUT ARE NOT LIMITED TO, DATA CONCERNING FIGHTS, ASSAULTS ON
24 YOUTH, ASSAULTS ON STAFF, CRITICAL INCIDENTS, RESTRAINTS,
25 MECHANICAL RESTRAINTS, SECLUSION, INJURIES TO YOUTH, INJURIES TO
26 STAFF, CRIMINAL CHARGES FILED AGAINST YOUTH OR STAFF, GRIEVANCES
27 OR COMPLAINTS REGARDING ABUSE THAT HAVE BEEN FILED OR SUSTAINED,
28 STAFF ABSENCES, STAFF TURNOVER, AND YOUTH EDUCATIONAL
29 ACHIEVEMENT. THE DIVISION SHALL COLLECT THE DATA AND MAKE IT



1 AVAILABLE TO THE CONTRACTOR AT THE CONTRACTOR'S REQUEST
2 THROUGHOUT THE PILOT PROGRAM. FOR THE PURPOSES OF THIS
3 SUBSECTION (4)(b)(VII), ON OR BEFORE SEPTEMBER 1, 2017, THE DIVISION
4 SHALL REQUEST PROPOSALS FROM CANDIDATES. THE DIVISION SHALL
5 REQUIRE EACH CANDIDATE TO SUBMIT ITS PROPOSAL TO THE DIVISION ON
6 OR BEFORE NOVEMBER 1, 2017, AND THE DIVISION SHALL CONTRACT WITH
7 A CANDIDATE ON OR BEFORE DECEMBER 1, 2017. NOT LATER THAN
8 NINETY DAYS AFTER THE END OF THE PILOT PROGRAM, THE INDEPENDENT
9 CONTRACTOR DESCRIBED IN THIS SUBSECTION (4)(b)(VII) SHALL ASSESS
10 THE DATA PROVIDED BY THE DIVISION AND COMPLETE A REPORT
11 EVALUATING THE EFFECTIVENESS AND OUTCOMES OF THE PILOT PROGRAM
12 WHEN COMPARED TO ONE OR MORE COMPARABLE DIVISION FACILITIES.
13 THE DIVISION SHALL PROVIDE THE CONTRACTOR ALL AVAILABLE DATA
14 REQUESTED TO COMPLETE THE REPORT.

15 (B) THE INDEPENDENT CONTRACTOR, AT LEAST IN PART, SHALL
16 BASE ITS EVALUATION OF THE EFFECTIVENESS OF THE PILOT PROGRAM
17 UPON WHETHER IT REDUCES THE NUMBER OF FIGHTS, CRITICAL INCIDENTS,
18 ASSAULTS ON YOUTH, ASSAULTS ON STAFF, INJURIES TO YOUTH, AND
19 INJURIES TO STAFF WHEN COMPARED TO COMPARABLE DIVISION
20 FACILITIES, AND WHETHER IT REDUCES THE NUMBER OF PHYSICAL
21 MANagements AND MECHANICAL RESTRAINTS WHEN COMPARED TO
22 COMPARABLE DIVISION FACILITIES.

23 (C) NOT LATER THAN NINETY DAYS AFTER THE END OF THE PILOT
24 PROGRAM, THE INDEPENDENT CONTRACTOR SHALL COMPLETE THE REPORT
25 DESCRIBED IN SUBSECTION (4)(b)(II)(A) OF THIS SECTION AND SUBMIT IT
26 TO THE JUDICIARY COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND
27 THE SENATE, TO THE PUBLIC HEALTH CARE AND HUMAN SERVICES
28 COMMITTEE OF THE HOUSE OF REPRESENTATIVES, AND TO THE HEALTH
29 AND HUMAN SERVICES COMMITTEE OF THE SENATE, OR TO ANY SUCCESSOR
30 COMMITTEES."

31 Page 21, line 27, strike "occurred. THE" and substitute "occurred, WHICH
32 SUMMARY MUST INCLUDE A SUMMARY OF ANY USE OF FORCE ON A YOUTH,
33 INCLUDING ANY PHYSICAL-MANAGEMENT TECHNIQUES OR RESTRAINTS
34 UTILIZED AND ANY SECLUSION OF A YOUTH. THE DIVISION SHALL NOT
35 REDACT THE INFORMATION OTHER THAN TO PROTECT THE PERSONAL
36 IDENTIFYING INFORMATION OF ANY INDIVIDUAL."

37 Page 22, strike lines 1 through 17.

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