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KING COUNTY, WASHINGTON
AUG 30 1991
DEPARTMENT OF
JUDICIAL ADMINISTRATION

CIVIL TRACK I
JUDGE DIXON

T.I. v. Delia



JI-WA-001-020

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY

T.I., a minor, by and through)
his mother and next friend,)
D.I.; W.F., a minor, by and)
through his mother and next)
friend, O.T.; D.I., a minor,)
by and through his mother and)
next friend, C.I., On Behalf)
Of Themselves And Others)
Similarly Situated,)

NO. 90-2-16125-1

ORDER GRANTING
PRELIMINARY INJUNCTION

Plaintiffs,

vs.

HAROLD DELIA, Director,
DEPARTMENT OF YOUTH SERVICES,
et al.,

Defendants.

THE PLAINTIFFS brought this motion for an injunction seeking to limit the population of the Alder building and to require the defendants King County, Tim Hill and Harold Delia ("the County defendants") not to place more than two youths in any multiple person cell. Plaintiffs' motion also sought to enjoin the County defendants from using holding rooms for sleeping cells or to punish youths, to require the County defendants to adequately staff the King County Juvenile Detention Facility and to require

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1 the defendants to provide detainees at the facility with
2 opportunities for reasonable exercise, outdoor weather
3 permitting.

4 This Court having reviewed all of the evidence, including
5 all the pleadings and evidence filed by the plaintiffs in support
6 of their motion, the pleadings and evidence filed by the
7 defendants in opposition to the motion, and the pleadings and
8 evidence filed by the plaintiffs on reply, and having heard
9 testimony of a number of witnesses and received additional
10 documentary evidence at a hearing on this motion from August 12
11 through August 14, 1991, this Court rules as follows:

12 The plaintiffs' motion is GRANTED in the following respects:

13 1. The defendants are hereby enjoined from placing more
14 than two youths in any sleeping cell in the King County Juvenile
15 Detention Facility.

16 2. The defendants may use the holding cells located behind
17 the courtrooms on an emergency basis for temporary residential
18 purposes, but when they are used in this fashion, youths placed
19 in these holding cells must have instant access to staff for
20 purposes of using toilets and other needed services. Whenever
21 youths are placed in the holding cells ^{as an overnight facility} appropriate bedding shall
22 be provided for those youths. The holding cells shall not be
23 used for punitive purposes, although the Court by this order does
24 not prohibit use of those holding cells for temporary placement
25 of youths who are unduly disruptive to their living units. In
26 addition, the defendants are required by this order to maintain
27 written documentation of the use of and staff to supervise youth

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1 temporarily placed in the holding cells and to make the
2 documentation available to plaintiffs' counsel.

3 3. Pursuant to the attached stipulation of the parties,
4 this court hereby orders the County defendants to comply with the
5 terms of this order by no later than September 15, 1991.

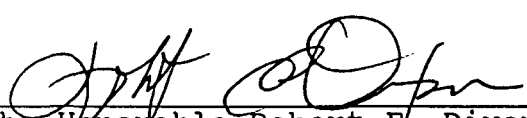
6 4. Plaintiffs may seek reasonable attorneys fees and costs
7 by separate motion. Nothing contained in this order shall
8 prejudice or preclude plaintiffs from filing a separate motion
9 for fees and costs.

10 The plaintiffs' motion is DENIED in the following respects:

11 5. The motion is denied to the extent it seeks to require
12 the defendants to employ additional staff or conduct additional
13 training of staff.

14 6. The motion is denied with respect to the plaintiffs'
15 request that all youth be permitted to exercise outdoors, weather
16 permitting.

17 DONE IN OPEN COURT this 30th day of August, 1991.

18
19
20 
21 The Honorable Robert F. Dixon
22 King County Superior Court Judge

23 Presented by:

24 HELLER, EHRMAN, WHITE & MCAULIFFE

25
26 By: John W. Phillips (by P.M.)
27 John W. Phillips
28 WSBA # 12185
Attorneys for Plaintiffs

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EVERGREEN LEGAL SERVICES

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