



State of Washington
Department of Corrections

Contract No. K9561
Amendment No. 3

This Amendment to the above referenced Contract Number is made the Department of Corrections, an agency of the state of Washington, hereinafter referred to as "Department", and the Kittitas County, a political subdivision of the state of Washington, hereinafter referred to as the County or the Contractor, for the purposes set forth herein.

WHEREAS the Department and the County have made oral and/or written agreements regarding the responsibilities and compliance requirements under PREA and the Department's policies regarding custodial and sexual misconduct; and

WHEREAS the Parties want to make current and clarify those responsibilities and requirements;

NOW THEREFORE, in consideration of the terms and conditions contained herein, or attached and incorporated and made a part hereof, the Department and County agree as follows:

SECTION 1 -

1.1 Article V - PREA - CUSTODIAL AND SEXUAL MISCONDUCT, of the above referenced DOC Contract Number, and any written amendment to that Article mutually agreed to by the Parties are replaced by Article V - PREA - CUSTODIAL AND SEXUAL MISCONDUCT, as set forth in Section 2 of this Amendment. The effective date of the replacement language is upon execution by the parties.

1.2 Article V - PREA - CUSTODIAL AND SEXUAL MISCONDUCT

A. Compliance

- a. The Contractor agrees to ensure that all of the contractor's employee's, vendors and volunteers (hereinafter Contractor) that have contact with Department of Corrections (DOC) offenders comply with all federal and state laws regarding sexual misconduct including, but not limited to:
 - i. The Prison Rape Elimination Act of 2003 (PREA);
 - ii. The standards for adult Prisons and Jails or Community Confinement Facilities, whichever is applicable, as promulgated by the US Attorney, and
 - iii. Zero tolerance toward all forms of sexual abuse and sexual harassment.

B. Monitoring

- a. Contractor agrees to provide to the Department documented compliance with the Federal PREA standards, and to allow the Department to monitor their facility's compliance.
- b. Monitoring may include, but is not limited to:
 - i. Site visits,
 - ii. Access to facility data, and
 - iii. Review of applicable documentation.

C. The Department may terminate this Contract:

- a. Should the Contractor fail to provide documentation that demonstrates that the Contractor is actively and effectively working toward and is making substantive progress toward achieving compliance or
- b. Should Contractor fail to maintain PREA compliance between auditing periods, after being given a reasonable opportunity to cure.

D. The Department will terminate this Contract:

- a. Should Contractor elect to discontinue pursuit of PREA compliance or

- b. Should Contractor be found in noncompliance through a PREA Audit and fail to cure such noncompliance within the identified time-frames or
- c. Should Contractor be found to be in egregious violation of PREA.

SECTION 2 - AMENDED RIGHTS AND OBLGATIONS

All rights and obligations of the parties shall be subject to and governed by terms and conditions of this Amendment and the other terms and conditions of the original Contract instrument, as may be previously amended remain in full force and effect.

The effective date of this amendment is upon execution by the parties.

SECTION 3 - COUNTERPARTS

This Amendment is executed in duplicate originals and each duplicate shall be deemed an original copy of the Amendment signed by each party, for all purposes.

SECTION 4 - ENTIRE AGREEMENT

This Amendment consisting of 2 pages represents all the full understanding and representations agreed upon by the parties. No other understanding or representations, oral or otherwise, regarding the subject matter of this Amendment shall be deemed to exist or to bind any of the parties hereto.

IN WITNESS WHEREOF, the Department and the County have signed this Amendment.

KITTITAS COUNTY SHERIFF'S OFFICE


Gene Dana, Sheriff

7-11-2014
DATE

STATE OF WASHINGTON DEPARTMENT OF
CORRECTIONS


Gary Banning

8/14/14
DATE

Contracts Administrator

BOARD OF COMMISSIONERS

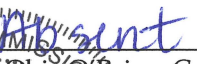
KITTITAS COUNTY, WASHINGTON


Paul Jewell, Chair

8/5/14
DATE


Gary Berndt, Vice Chair

8/5/14
DATE


Obie O'Brien, Commissioner

DATE

ATTEST:


Julie Kiorvik, Clerk of the Board

8/5/14
DATE

Approved by the Office of the Attorney General.
Approval on file.