

***Incarceration Prevention and Reduction Task Force***  
***Legal & Justice Systems Subcommittee***  
**Meeting Summary for February 13, 2018**

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**1. Call To Order**

Committee Chair Stephen Gockley called the meeting to order at 11:35 a.m. in the Whatcom County Courthouse Conference Room 514, 311 Grand Avenue, Bellingham.

Members Present: Angela Anderson, Deborra Garrett, Stephen Gockley, Raylene King, Dave McEachran, Lisa McShane, Moonwater, Jeff Parks (proxy for Bill Elfo), Darlene Peterson

Members Absent: Jill Bernstein, Bill Elfo

Review Meeting January 9, 2018 Summary

This item was not discussed.

**2. Update on Drug Court Improvements**

Gockley referenced and reported on the updated report on drug court improvements on meeting packet pages 5-6.

**3. Draft Priorities and General Work Plan**

Gockley reported on the task to update the work plan using the Vera Institute report and other committee projects.

The committee discussed projects, which include:

- Changes in statutes regarding domestic violence treatment
- Restorative practices and their role in preventing incarceration
- Reentry support for people coming out of jail. They need data on how many people recidivate soon after leaving jail
- Deeper incarceration reductions on an interim basis due to upcoming jail remodel projects. Possible anticipation of one cell block (approximately 40 beds) closed per time.
- Need to reduce trend of new felonies committed soon after release. Review release decisions.
- Update from Bruce Van Glubt on District Court

The committee discussed the upcoming plans for jail repair and the need to revisit the list of projects whiteboarded at past meetings to merge all these lists. (*See the attached Merged Project List.*)

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**4. Identify the ideal data needs of the committee**

The committee discussed ideal data needs.

Suggestions regarding specific **data points** to collect:

- Collect and distinguish between booking, court, and jail information/data
- How many people have concurrent warrants in multiple jurisdictions?
  - Does this person have active warrants from another jurisdiction?
  - If Yes, which jurisdictions?
- How many warrants are for someone who also has active warrants in another jurisdiction
  - Does this person listed in this warrant have active warrants in another jurisdiction?  
Booked offense(s) (*felony*)
- Final charge(s) (from the Prosecutor) (*felony*)
- Booked citation charge(s) (*gross misdemeanor*)
- Bond amount by prosecutorial charge
- Does the defendant have a history with one of the special courts?
- Recidivism: how long after jail or court release until the person was booked on a new crime?

Suggestions regarding data **collection system**:

- The ability to collect, sort, and report data by person
- The ability to collect, sort, and report data by warrant
- The ability to collect, sort, and report data by booked offense and final charge (*felony*) and by booked citation charge (*gross misdemeanor*)
- The ability to run a report on the number of people booked (*probable cause*) under each booked offense
- The ability to run a report on the number of people charged (*prosecutorial*) under each final charge

Suggestions regarding **data interpretation and processes**:

- Consider a combined multi-jurisdictional court dates for people with concurrent warrants in more than one jurisdiction.
- Enhanced data sharing: The systems of all jurisdictions must communicate. Provide access for each jurisdiction to easily access data from other jurisdictions.
- Create baseline information and benchmarks that can be monitored to track success of programs and processes.
- Distinguish between the data points/categories and the algorithms of the report to produce correct interpretations of the data
- Create accurate and consistent definitions
- People entering data need to be adequately trained to enter consistent information correctly
- Algorithms must be accurate
- Take advantage of new technology for efficiency in data entering and reporting.

**5. Update on developing a pretrial risk assessment tool and pretrial supervision unit**

Garrett reported on the purpose statement, work group participants, meeting schedule and timeline, how factors are weighted, the importance of local validation, and having Dr. Van Wormer

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consult during the early stages. They are reluctant to spend hundreds of thousands of dollars on a pretrial risk assessment.

The committee discussed the State's pretrial task force and the advantages and disadvantages of the different types of assessment systems, including static vs. dynamic assessment tools and the importance of local validation.

**6. Other Business**

The committee discussed the vice-chair position for the committee and decided that they would elect a vice-chair for a meeting on an as-needed basis.

**7. Next Steps: Ideas & Further Information**

Next meeting topics include work plan and data identification, an update on the pretrial risk assessment workgroup, and discussion of the committee's annual report.

**8. Public Comment**

Irene Morgan spoke on how mentally ill repeat offenders are traumatized. They need mentoring and case management. She supports multi-jurisdictional court data sharing. Use interns to input data.

Andronetta Douglas spoke on resources and data inputting in the medical system and benefits of universally-accepted records and data.

**9. Adjourn**

The meeting adjourned at 1:29 p.m.

# LEGAL AND JUSTICE SYSTEMS AD HOC SUBCOMMITTEE

## Merged Project List

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Items from Vera Report  
Items from February 2018 committee meeting

Items from whiteboard brainstorming on May 2016  
Miscellaneous items mentioned, from Clerk's Notes

### **COMPLETED**

Behavioral Health Specialist in Public Defender's Office

- Support services for Public Defender's Office

Voluntary in-custody work crew

Modify the guidelines for jail alternatives

Other?

### **IN PROCESS (not prioritized)**

1. Adopt and validate a data-driven pretrial risk assessment system (13 dots)
2. Establish Regional Pre-trial monitoring services program to serve all Whatcom County Courts (13 dots)
  - Pretrial Case Management: Phone Call Reminders
  - Pretrial Case Management: Social Workers
  - Electronic home monitoring: Pretrial
  - Implement policies and procedures that will reduce number of bench warrants issued for FTAs (4 dots)
3. Expand book and release practices, including from police stations (addition: expand concept to include pre-arrest diversion) (2 dots)
  - Explore LEAD Program
4. Increase opportunities for people to resolve outstanding warrants (2 dots)
  - Law enforcement warrant ?? (new guidelines for this)
5. Develop mechanisms to prevent jail admissions for violations of probation/parole (2 dots)
  - Review probation violations
6. Facilitate opportunities for individuals to pay off fines assoc. with moving violations (1 dot)
  - Review strategies for reducing fines/interest
7. (NEW) Use EHM to facilitate improvements in Whatcom County (1 dot)
8. Explore how EH and EHM can reduce bench warrants (1 dot)
9. Analyze warrant data to understand the scope of the problem to target responses appropriately (also include in data considerations) (0 dots)
10. Changes in statutes regarding domestic violence treatment (scheduled for April with confirmation from Karen Burke)
11. Further implementation of restorative practices and their role in preventing incarceration
  - Place current programs on the restorative justice spectrum. See Moonwater presentation.
12. Consider deeper incarceration reductions on an interim basis due to upcoming jail remodel projects

## LEGAL AND JUSTICE SYSTEMS AD HOC SUBCOMMITTEE

### Merged Project List

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13. Need to reduce trend of new felonies committed soon after release. Review release decisions
14. Reentry support
  - Re-entry services
  - Connections to community services
  - Community resource sheet for defendants
  - Ease of entry for behavioral health services
15. Update on District Court from Bruce Van Glubt
16. Expand drug court

#### **DISCUSSED, NO ACTION TAKEN**

Better transportation for court clients  
Good Time ratio  
Better use of jail alternatives / Division Street Resources  
Licensing Program  
Electronic home monitoring: Post-trial  
Electronic home monitoring: Use of private EHM providers  
System changes (i.e. when people are evaluated for alternatives): In-custody mental health & chemical dependency evaluations  
Courthouse jail alternatives screening kiosk

#### **NOT DISCUSSED**

On demand out of custody D & A (drug & alcohol) evaluations  
Review bail standards and amounts  
Review Spokane's SMHA Justice Programs  
Portability court

- Portability Court and weekend telephone hearings: it's benefits and problems

More charge-specific diversion programs  
Decriminalization of status offenses  
Create a community court  
Moonwater and Bruce Van Glubt to discuss creating/reinstating program: Anti-harassment mediation and past District Court Sentencing Alternatives Program  
Can there be an effective drug court option that doesn't take 2 years? A tiered system?

- How to create incentives for people to choose long drug court program?

The Lummi Nation possibly would like to take prosecutorial jurisdiction over its members. (Check with Nick Lewis on this item.)  
Update on options for how to make drop down more attractive to defendants.