

**Incarceration Prevention Reduction Task Force  
Legal & Justice System Committee Meeting**

11:30 a.m. - 1:30 p.m., July 10, 2018

Whatcom County Courthouse Conference Room 514, 311 Grand Avenue, Bellingham WA

**AGENDA**

Topic	Requested Action	Packet Page(s)
<b>1. Call to Order</b> <ul style="list-style-type: none"> <li>• June 12, 2018 Meeting Summary Review</li> </ul>	Review	1 - 3
<b>2. Finalize the list of the committee's data needs for a new Information Needs and Data Exchange (INDEX) Committee</b>	Amend and Finalize	4 - 6
<b>3. Draft Priorities and Work Plan</b>	Assign tasks & timelines	7 - 10
<b>4. Next Steps: Ideas &amp; Further Information</b> <ul style="list-style-type: none"> <li>• Next meeting topics</li> </ul>		
<b>5. Other Business</b>		
<b>6. Public Comment</b>		
<b>7. Adjourn</b>		

**UPCOMING MEETINGS:**

IPR TASK FORCE various Mondays 9-11 a.m. Courthouse Conf. Rm 513/514 311 Grand Ave., Bellingham	COMMITTEES			
	BEHAVIORAL HEALTH various Mondays 2:30-3:30 (except where noted) Health Department Creekside Conf. Room 509 Girard, B'ham	LEGAL & JUSTICE SYS. 2 <sup>nd</sup> Tuesday 11:30 am-1:30 pm Courthouse Conf. Rm 514 311 Grand Ave., Bham	TRIAGE FACILITY 3 <sup>rd</sup> Thursday 9:30-11:00 a.m. <del>Health Dept.</del> <b>MOVED TO</b> Courthouse 5 <sup>th</sup> Floor 513 or 514, 311 Grand Avenue, B'ham	STEERING As needed Courthouse Fifth Floor Conference Rooms 311 Grand Ave., Bham
July 16	July 16	July 10	July 19 in Room 513	September 6: 9:30 a.m., Room 514
August 6	August 6	(no august)	August 9 * in Room 513	
September 17	September 17	September 11	September 20: location TBD	
October 15	October 15	October 9	October 18 in Room 514	
November 26	November 26	November 13	November 15 in Room 513	
December 17	December 17	December 11	December 20 in Room 514	

**Incarceration Prevention and Reduction Task Force**  
**Legal & Justice Systems Subcommittee**  
**DRAFT Meeting Summary for June 12, 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: Jill Bernstein, Bill Elfo, Deborra Garrett, Stephen Gockley, Raylene King, Lisa McShane, Moonwater, Peter Ruffatto

Also Present: Kathy Walker (proxy for Dave McEachran)

Members Absent: Angela Anderson, Deborah Hawley, Dave McEachran, Darlene Peterson

Review May 8, 2018 Meeting Summary

There were no changes.

**2. Update on Update from Karen Burke on Domestic Violence & Sexual Assault Service (DVSAS) and domestic violence treatment services**

Karen Burke submitted and read from a handout (on file) describing the Whatcom County Domestic Violence Offender Treatment Program and stated she requests the Committee recommend support of funding for three years, beginning January 2019.

- The program will reduce the jail population.
- Current treatment options in the community are inadequate and not working well
- The proposal is a 3-year pilot program to see how it works
- The Steering Committee membership includes two representatives from Western Washington University, Susan Marks, Ferndale Police Chief, Bellingham Court Administrator, and others.
- The program therapy includes several components: group therapy, a coordinated community response, motivational interviewing, trauma-informed dialectic behavioral therapy (DBT), and better communication between courts and therapy provider
- Court-ordered services available after conviction or as diversion, depending on the prosecutor and courts
- Drop-in classes will be available on healthy masculinity
- Treatment includes juveniles and female offenders

Committee members and Burke discussed:

- Releases of confidential information
- Whether they will prioritize who gets treatment
- Individuals with cultural and ethnic barriers
- Gathering recent baseline data
- Outcomes measured through contact with victims and victim reports
- The program also requires offenders to complete measurable tasks

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- Consideration of in-house versus contracted staff
- Locating the services away from Domestic Violence and Sexual Assault Services (DVSAS) offices
- Treating offenders so they don't create more victims
- The Steering Committee will be separate from DVSAS
- Similar programs that the local tribes may have
- The possibility of allocating space in the program for each jurisdiction according to their funding
- Motivational interview training of probation staff
- Potential funding sources
- The program will include misdemeanants and felons

Bernstein moved to recommend to the full Task Force that the County, City of Bellingham, and small cities fully fund the Whatcom County Domestic Violence Offender Treatment Program for the years 2019-2021, at a cost of approximately \$221,750 per year. The motion was seconded. The motion carried unanimously.

**3. Identify the ideal data needs of the committee for the INDEX Committee**

The Committee discussed data needs for defining data outcomes, trends, and issues:

- Data that the current systems already collect
- Making information available to the community
- Each committee member is to come back to the committee with a list of its broad-based objectives
- The need to create baseline data
- The data necessary to inform their ongoing projects, including: electronic home monitoring, pretrial services, book-and-release, and other items on the work plan
- Include the data gaps that Task Force members identified through the Vera Institute report process
- Identify the data points that can be used to paint as accurate a picture as possible, regardless of what question is being asked of the data
- Create indicators of broad-based objectives, such as how many people are diverted to the triage center
- The committee reviewed and amended the February data list in the meeting packet

This item is held for further discussion to the next committee meeting.

**4. Report on what other jurisdictions are doing**

Bruce Van Glubt, District Court Administrator, referenced meeting packet page 16 and gave an update on the Virginia model risk assessment as used by Clark County.

- There isn't any cost to or official training for using the Virginia Model

- Clark County doesn't have any statistics yet on the program

**5. Update on Pretrial Processes Workgroup**

Garrett updated the committee on the Pretrial Processes Workgroup. The Group has decided on using the Virginia model risk assessment. There is an upcoming conference call with Dr. Jacqueline van Wormer on June 18 at noon. Supplemental budget requests are being prepared to validate the risk assessment and to hire a project manager to begin structuring a pretrial services department. The assessment may be customized for the local jurisdictions.

The committee discussed the reason for choosing the Virginia model risk assessment tool.

- It's not completely static, but it's mostly static
- There are no hidden algorithms. The assessment and results are transparent.
- The judicial officers in Superior Court and Judge Elich like the assessment
- It has a reputation of being one of the best assessments

**6. Other Business**

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

The committee members discussed continuing its work regarding drug court best practices and working with the drug court team and drug court prosecutor. The committee members concurred to schedule a full discussion with on September 11, 2018 meeting.

The committee members discussed scheduling a meeting of the committee at the Lummi Administration Building, at the invitation of Task Force member and Lummi representative Nick Lewis.

**8. Public Comment**

There was no public comment.

**9. Adjourn**

The meeting adjourned at 1:25 p.m.

**DATA OUTCOMES, TRENDS, AND ISSUES: Legal and Justice Systems Committee:**

<b>Outcomes to Measure:</b> The INDEX Committee will create a data collection system that will:		
		Produce the data necessary to inform their ongoing projects, including: electronic home monitoring, pretrial services, book-and-release, and other items on the work plan
<b>Trends to Track:</b> The INDEX Committee will create a data collection system that tracks the following:		
		See list of data points
<b>1-3 Metrics to measure from each Annual Report topic:</b>		
<b>Interoperability Issues:</b>		
		The IPRTF and all jurisdictions will have accurate and consistent definitions. A data collection system must have a glossary of terms that includes national standards, so everyone understand exactly what everyone else is talking about.
		Compare program results to national standards
<b>Miscellaneous data points (see below):</b>		

From Committee on February 13 and updated on June 12:

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 **Filed** 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?
- Define all categories of warrants: Is it an FTA warrant? An arrest warrant, reissued warrant?

- Newly issued versus re-issued warrants
- Define all categories of warrants
- How many charges came from the border
- Recidivism Rates
- Number of people in jail
- Number of active warrants
- All the data points used for the Vera Institute report
- Number of misdemeanor, gross misdemeanor, and felony cases that are cited in the field or referred to Prosecuting Attorney for charging decision without a physical arrest.
- Have warrants increased or decreased with the implementation of phone call reminder programs and other programs
- The people who have concurrent warrants in multiple jurisdictions
- The number and scope/nature of warrants issued. The reason each warrant is issued.
- The recidivism rate of each program
- Impact of a new program on jail population
- The length of time it takes to process each case
- The number of people who are diverted from jail
- The number of people who are being held pretrial
- Number of persons for whom probable cause exists for arrest, who are diverted to a) Mental Health Triage and b) Substance Abuse treatment at the new Triage Center;
- Number of persons for whom probable cause exists for arrest, who are diverted to other mental health facilities (St. Joseph's, etc.);
- Number of persons a) screened for participation in Jail Alternative programs at a courthouse centric location b) number of persons who report for participation in Jail Alternative programs;
- Number of persons connected to the appropriate electronic home monitoring device at the request of District Court for pre-trial or probation monitoring? Number of reported violations referred to the District Court;
- Number of persons and bed days served through jail alternative programs by specific program?
- Number of misdemeanor and gross misdemeanor cases cited or referred to Prosecuting Attorney for charging decision without a physical arrest?
- Number of felony cases referred to Prosecuting Attorney for a charging decision without a physical arrest?
- 1. How many residential parents are in jail? Non-residential parents who are losing visitation opportunities because of incarceration?
- 2. Who is losing their job because they are in jail?
- 3. Who is losing their housing because of incarceration?
- 4. Who is experiencing family /employment discord/conflict because of incarceration?
- FTA statistics pre-text messaging for court reminders
- FTA statistics post-text messaging court reminders

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
- Data on failures to appear
- Identify how many people with minor misdemeanors and no warrants are the officers choosing to either not book, divert, or refer to the Prosecutor
- Inform the criminal justice system with the data necessary to develop agreements that would allow multi-jurisdictional court dates for people with concurrent warrants or different charges in more than one jurisdiction. Allow data to be shared across jurisdictions to help people navigate through the court system efficiently and resolve warrants in any jurisdiction. People have different charges in different courts. How do they know if they are talking about the same person, and do those multiple charges in multiple jurisdictions by the same person inflate the data somehow?

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.
- Be as transparent as possible for the community about who is in the jail and why
- How to track and measure the impact of jail on someone's livelihood, and the interruption it creates in their day to day life/ability to thrive. These questions are more aligned with the social needs and problems created because of incarceration, that perhaps, if we had a better understanding of the scope, we could better tailor programming to mitigate these ripple effects. For example (see numbered items in list of data points):







